BLYTHE CITY COUNCIL



AGENDA JUNE 26, 2007

6:00 P.M.

Robert Crain, Mayor Charles Grotke, Vice Mayor Alfonso Hernandez, Councilman Joseph DeConinck, Councilman Beverly Mays, Councilwoman Les Nelson, City Manager Virginia Rivera, City Clerk

MEETINGS ARE HELD IN THE CITY COUNCIL CHAMBER, 235 NORTH BROADWAY, BLYTHE, CALIFORNIA

AGENDA

BLYTHE CITY COUNCIL MEETING

JUNE 26, 2007

6:00 P.M.



CALL TO OKDEK: Mayor	Crain	No.
PLEDGE OF ALLEGIANCE: by Invitation		
INVOCATION: by Invitation		
ROLL CALL:	•	
Mayor Robert CrainVice Mayor Charles GrotkeCouncilman HernandezCouncilman DeConinckCouncilwoman MaysCity Clerk Rivera	City Attorney Zundel City Manager Nelson Asst. City Mgr. Hull Treasurer Martin Finance Dir. Colbert Police Chief Whitney	Public Works Dir. RodkeyPlanning Director WellmanCity Engineer AabyGolf Course Supt. LanphereFire Chief Kem

ADDED STARTER

The City Council may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the City Council and/or staff subsequent to the posting of the Agenda. An action adding an item to the Agenda requires a 2/3 vote of the City Council (4 of 5 Councilmembers). If less than 2/3 of the City Council is present, adding an item to the Agenda requires a unanimous vote.

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and will be enacted with one motion of the Council. If any item requires individual consideration, it will be removed from the consent calendar and acted upon separately.

- 1. Posting of the Agenda: The summary of agenda items was posted on the bulletin boards on the outside of the public entrance to the Council Chamber and near the inside entrance of the Council Chamber on Friday, June 22, 2007.
- 2. Approval of Warrant Register, 06/12/07, warrants numbered 45300 thru 45316 in the amount of \$1,132.35; 06/26/07, warrants numbered 45317 thru 45447 in the amount of \$700,290.67.
- 3. Approval of Payroll Register 06/22/07, warrants numbered 38941 thru 38996 and Direct Deposits in the amount of \$405,403.04.
- 4. Second Reading and Adoption of Ordinance No. 822-07 Blythe RDA's Eminent Domain Policy.

 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA DESCRIBING THE
 BLYTHE REDEVELOPMENT AGENCY'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN
 IN THE BLYTHE REDEVELOPMENT PROJECT NO. 1
- 5. Approval of Notice of Completion Construction of Water Production & Treatment Facility (Phase II).
- 6. Approval of (Final) Parcel Map 34961, Reynalda Pascua.
- 7. Authorization to Sign Cool Center Agreements with Riverside County Community Action Partnership.
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Approval of Consent Calendar

PUBLIC HEARINGS:

- 1. Conditional Use Permit 2006-08, Romeo & Maria Ang
 - a. Staff Report
 - b. Public Hearing
 - c. Recommend Adoption of Resolution No. 07-721 and 07-722.

RESOLUTION NO. 07-721. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NOTICE OF EXEMPTION FOR CONDITIONAL USE PERMIT 2006-08

RESOLUTION NO. 07-722. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVING CONDITIONAL USE PERMIT 2006-08

- 2. Application for Taxicab Service, Angelica M. Cordova
 - a. Staff Report
 - b. Public Hearing
 - c. Recommend Approval

RESOLUTIONS:

- 1. **Resolution Nos. 07-719 & 07-720,** Levy & Collection of Assessments for Property Weed & Building Abatement
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Adoption of Resolution Nos. 07-719 and 07-720

 RESOLUTION NO. 07-719. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR PROPERTY BUILDING ABATEMENT PURSUANT TO THE PROVISIONS OF THE BLYTHE MUNICIPAL CODE

RESOLUTION NO. 07-720. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR PROPERTY WEED ABATEMENT PURSUANT TO THE PROVISIONS OF THE BLYTHE MUNICIPAL CODE

- **Resolution No. 07-723,** Authorizing the Continuation of Necessary & Essential Expenditures to July 31, 2007
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Adoption of Resolution No. 07-723

 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA AUTHORIZING THE CONTINUATION OF NECESSARY AND ESSENTIAL EXPENDITURES TO JULY 31, 2007

NEW BUSINESS:

- 1. Sale of Fireworks Outdoor Stands
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Approval of Applications
- 2. Ballot Measure City's Authorization for Hospital Business
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Putting Measure on November Ballot

REPORTS:

- 1. City Manager's Report
 - a. Staff Report
 - b. Public Comment
 - c. Receive and File

ORAL REPORTS:

1. Oral Reports from Council and Staff

PUBLIC COMMENT:

Members of the public may address Council on items not covered in the Agenda. Speakers are asked to identify themselves and give their address. Speakers are asked to limit their remarks to 3 minutes in duration.

EXECUTIVE SESSION:

- 1. Pending Litigation, pursuant to Government Code Section 54956.9, Wal-Mart Development.
- **2. Potential Litigation,** pursuant to Government Code Section 54956.9, Balszburg Neighborhood Improvement Project.
- 3. Potential Litigation, pursuant to Government Code Section 54956.9, Former Chief R. Grady.

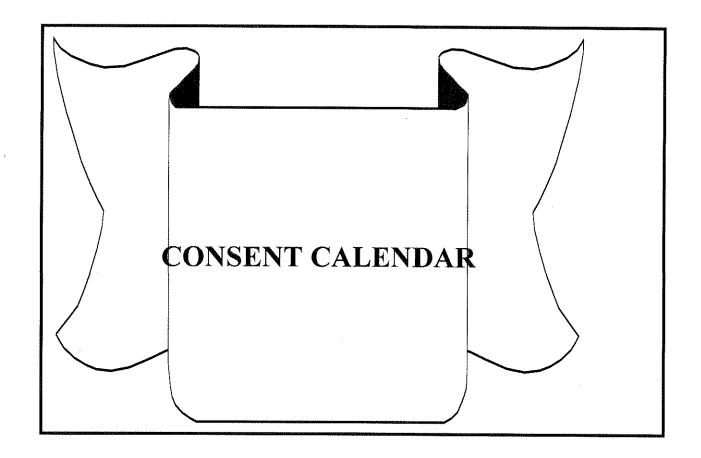
ADJOURN:

The Agenda is now available on the City's Website at http://www.cityofblythe.ca.gov

NOTE TO THE PUBLIC:



IN COMPLIANCE WITH THE AMERICANS WITH DISABILITY ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT VIRGINIA RIVERA, CITY CLERK AT (760) 922-6161 EXT. 237. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING (28 CFR 35.104 ADA TITLE II)



ORDINANCE NO. 822-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, DESCRIBING THE BLYTHE REDEVELOPMENT AGENCY'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN IN THE BLYTHE REDEVELOPMENT PROJECT NO. 1

WHEREAS, the Blythe Redevelopment Agency ("Agency") is the official redevelopment agency in the City of Blythe, created pursuant to the California Community Redevelopment Law, California Health & Safety Code Section 33000 *et seq.* ("Community Redevelopment Law"); and

WHEREAS, the City Council of the City of Blythe ("City Council"), by Ordinance No. 611-84, adopted on November 27, 1984, approved and adopted the redevelopment plan for the Blythe Redevelopment Project No. 1 ("Redevelopment Plan") and said Redevelopment Plan authorized the Agency to commence eminent domain proceedings to acquire real property located in Project No. 1 ("Project No. 1 Territory") for purposes of redevelopment within twelve years of the adoption of Ordinance No. 611-84; and

WHEREAS, the City Council, by Ordinance No. 657-89, adopted on June 27, 1989, approved and adopted Amendment No. 1 to the Redevelopment Plan ("Amendment No. One") to add territory to the Blythe Redevelopment Project No. 1 ("Amendment No. One Added Territory"), and said Amendment No. One, which applied to the Amendment No. One Added Territory, authorized the Agency to commence eminent domain proceedings to acquire real property in the Amendment No. One Added Territory for purposes of redevelopment within twelve years of the date of adoption of Ordinance No. 657-89, and Amendment No. One made no changes with respect to the applicability of the Redevelopment Plan to the Project No. 1 Territory; and

WHEREAS, the City Council, by Ordinance No. 706-94, adopted on November 8, 1994, approved and adopted an amendment to the Redevelopment Plan, as Amended, for Blythe Redevelopment Project No. 1, as Amended, to modify the financial limits established in the Redevelopment Plan and Amendment No. One pursuant to Health and Safety Code Section 333333.6; and

WHEREAS, the City Council, by Ordinance No. 715-95, adopted on July 18, 1995, approved and adopted Amendment No. 2 to the Redevelopment Plan, As Amended ("Amendment No. 2"), to add territory to the Blythe Redevelopment Project No. 1 ("Amendment No. 2 Added Territory"), to extend the time limit within which the Agency may commence proceedings by eminent domain to acquire real property located in the Project No. 1 Territory by twelve years from the date of adoption of Ordinance No. 715-95, and to modify the financial limits established in the Redevelopment Plan and Amendment No. One, and said Amendment No. 2 authorized the Agency to commence eminent domain proceedings to acquire real property in the Amendment No. Two Added Territory as set forth in Amendment No. 2 within twelve years of the adoption of Ordinance No. 715-95; and

WHEREAS, the City Council, by Ordinance No. 758-99, adopted on June 22, 1999, approved and adopted Amendment No. 3 to the Redevelopment Plan, As Amended ("Amendment No. 3"), to add territory to the Blythe Redevelopment Project No. 1 ("Amendment No. 3 Added Territory"), and authorizing the Agency to commence eminent domain proceedings to acquire real property for purposes of redevelopment in the Amendment No. 3 Added Territory as set forth in Amendment No. 3 within twelve years of the date of adoption of Ordinance No. 758-99, but said Amendment No. 3 made no changes to the time limits for the acquisition by eminent domain of property located in the Project No. 1 Territory, the Amendment No. One Added Territory, or the Amendment No. 2 Added Territory; and

WHEREAS, the City Council, by Ordinance No. 779-02, adopted on July 9, 2002, approved and adopted Amendment No. 4 to the Redevelopment Plan, as Amended ("Amendment No. 4"), to add territory to the Blythe Redevelopment Project No. 1, and said added territory included territory located in the unincorporated County of Riverside ("Amendment No. 4 Added Territory"), over which the County of Riverside granted to the Agency jurisdictional authority pursuant to the Interjurisdictional Agreement entered into between the Agency and the County of Riverside (the Redevelopment Plan as amended by Ordinance No. 657-89, Ordinance No. 706-94, Ordinance No. 715-95, Ordinance No. 758-99, and Ordinance No. 779-02 is hereafter referred to as "Amended Redevelopment Plan"); and

WHEREAS, the County of Riverside, by County Resolution No. 2002-52, adopted on January 29, 2002, designated the Agency to act as the agency for the County in connection with Amendment No. 4 Added Territory County, and the County, by County Ordinance No. 820, adopted on July 9, 2002, approved Amendment No. 4 to the Redevelopment Plan for the Blythe Redevelopment Project No. 1; and

WHEREAS, the Agency, by Resolution No. RA02-91, adopted on April 9, 2002, adopted Rules Governing Participation and Preferences by Owners, Operators of Businesses and Tenants in Connection with Amendment No. 4 to the Redevelopment Plan for the Blythe Redevelopment Project No. 1 and said Resolution recites that in connection with the approval of the Redevelopment Plan for the Blythe Redevelopment Project No. 1 and subsequent amendments to the Redevelopment Plan for the Blythe Redevelopment Project No. 1, specifically Amendment Nos. 1, 2, and 3, the Agency previously adopted Rules Governing Participation and Preferences by Owners, Operators of Businesses and Tenants and the Agency desires to adopt these Rules for application within the Amendment No. 4 Added Territory pursuant to Health and Safety Code Sections 33345 and 33395.5 ("Owner Participation Rules"); and

WHEREAS, the Agency, by Resolution No. RA02-91, adopted on April 9, 2002, adopted Relocation Rules to implement the California Relocation Assistance Law and Real Property Acquisition Guidelines ("Relocation Rules"); and

WHEREAS, California Health & Safety Code Section 33342.7 (added by Senate Bill No. 53) became effective on January 1, 2007, and requires a legislative body that adopted a final redevelopment plan before January 1, 2007, to adopt an ordinance describing the redevelopment agency's program to acquire real property by eminent domain; and

WHEREAS, under the Amended Redevelopment Plan, the Agency has authority to acquire certain real property and real property interests (collectively referred to hereafter as "real property") by eminent domain, and therefore the Amended Redevelopment Plan, together with

applicable laws, rules, regulations, guidelines and policies, as described herein, comprise the Agency's program to acquire real property by eminent domain; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLYTHE DOES ORDAIN AS FOLLOWS:

- **Section 1.** The Agency's Eminent Domain Program. Without further amendment of the Amended Redevelopment Plan, the Agency's program for the acquisition of real property by eminent domain is hereby described as follows:
- (a) The Agency may, but is not required to, exercise its authority to acquire real property by eminent domain. The Agency may exercise that authority as follows:
- (1) The proposed acquisition is for purposes of redevelopment and is in accordance with and necessary to the execution of the Amended Redevelopment Plan; and
- (2) Within the Amendment No. 4 Added Territory, Amendment No. 3 Added Territory and Amendment No. 2 Added Territory, the Agency shall not acquire, by eminent domain, property on which any person resides;
- (3) Within the Amendment No. 4 Added Territory, Amendment No. 3 Added Territory and Amendment No. 2 Added Territory, Agency-sponsored projects that cause the displacement of a substantial number or low- or moderate-income persons, or both, will not be permitted;
- (4) With respect to the Amendment No. 2 Added Territory, "the property on which any person resides" shall mean that a person actually lives on the property and that the property is zoned for residential use. The Agency may acquire land that is zoned residential by eminent domain;
- (5) Within the Amendment No. 4 Added Territory, Amendment No. 3 Added Territory and Amendment No. 2 Added Territory, the Agency reserves the right to acquire real property as may be necessary, appropriate, and as permitted in Section 33342 of the Community Redevelopment Law, including acquisition through the use of eminent domain, except as otherwise restricted above in subparagraphs (a)(2) and (a)(3);
- (6) Proceedings to acquire real property by eminent domain in the Amendment No. 4 Added Territory are commenced within twelve (12) years from July 9, 2002, the date of adoption by the City of Ordinance No. 779-02 and the date of adoption by the County of Riverside of County Ordinance No. 820, adopting said Amendment No. 4;
- (7) Proceedings to acquire real property by eminent domain in the Amendment No. 3 Added Territory are commenced within twelve (12) years from June 22, 1999, the date of adoption of Ordinance No. 758-99, adopting Amendment No. 3;
- (8) Proceedings to acquire real property by eminent domain in the Project No. 1 Territory and in the Amendment No. 2 Added Territory are commenced within twelve (12) years from July 18, 1995, the date of adoption of Ordinance No. 715-95, adopting Amendment No. 2;

- (9) Proceeding to acquire real property by eminent domain in the Amendment No. One Added Territory are commenced within twelve (12) years from June 27, 1989, the date of adoption of Ordinance No. 657-89, adopting Amendment No. One;
- (10) The proposed acquisition is in compliance with all applicable laws and regulations, including but not limited to, the California Eminent Domain Law, California Code of Civil Procedure Section 1230.010 et seq. ("Eminent Domain Law").
- (b) The Agency shall offer such participation and reasonable reentry opportunities to owners, business operators, and tenants as are in accordance with the Amended Redevelopment Plan, and shall comply with the Community Redevelopment Law and the Agency's Owner Participation Rules, as such rules may be amended from time to time.
- (c) The Agency shall provide relocation assistance and make all payments in accordance with applicable State law, including but not limited to Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code ("State Act"); the Relocation Assistance and Real Property Acquisition Guidelines (Chapter 6 of Title 25 of the California Code of Regulations, beginning with Section 6000)("State Guidelines") adopted by the Department of Housing and Community Development to implement and interpret the State Act; and, if and when applicable, Federal law, including but not limited to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C., Section 4601 *et seq.*)(the "Federal Act") and the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs Regulations (49 Code of Federal Regulations, Part 24, beginning with Section 24.1)(the "Federal Guidelines"). The Agency shall comply with the Agency's Relocation Rules, as such rules may be amended from time to time.
- (d) If the Agency's Owner Participation Rules or Relocation Rules are amended or superseded subsequent to the adoption of this Ordinance, the foregoing description of the Agency's eminent domain program is automatically amended to be consistent with any such amendment or new rules and no amendment of the Redevelopment Plan shall be required.
- Section 2. <u>California Health & Safety Code Section 33342.7.</u> This Ordinance is adopted pursuant to California Health & Safety Code Section 33342.7 and is a description of the Agency's program to acquire real property by eminent domain, as mandated by that statute. No amendment of Amendment No. 4 to the Redevelopment Plan for the Blythe Redevelopment Project No. 1 is effected by this Ordinance.
- Section 3. California Environmental Quality Act. This Ordinance has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq., hereafter the "CEQA Guidelines"), and the City's environmental guidelines. The City has determined that this Ordinance is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378. Specifically, this Ordinance is adopted in order to comply with the requirements of California Health & Safety Code Section 33342.7, and is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment. (CEQA Guidelines Section 15378(b)(5).) Therefore, because it is not a "project," this Ordinance is not subject to CEQA's requirements. Further, even if this Ordinance were deemed a "project" and therefore subject to CEQA, the Ordinance would be covered by the general rule that CEQA applies only to projects that have the potential to cause a significant

effect on the environment (CEQA Guidelines, Section 15061 (b)(3)). As an organizational or administrative activity that does not effect any change in the Agency's authority to exercise its powers of eminent domain and involves no exercise of such powers, the Ordinance does not have the potential to cause a significant effect on the environment and is therefore exempt under this general rule. Further, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and thus this Ordinance is not subject to CEQA. (CEQA Guidelines, Section 15061(b)(3)).

- **Section 4.** <u>Severability.</u> If any part of this Ordinance is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance and this City Council hereby declares that it would have passed the remainder of this Ordinance if such invalid or unconstitutional portion thereof had been deleted.
- **Section 5.** Certification. The City Clerk shall certify to the passage of this Ordinance and is hereby directed to publish or post this Ordinance in accordance with law.
- Section 6. <u>Transmittal to Agency</u>. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency.
- **Section 7.** Filing Notice of Exemption. Staff is hereby directed to file a notice of exemption with the County Clerk within five (5) days of the adoption of this Ordinance pursuant to Section 15062 of the CEQA Guidelines.

PASSED AND ADOPTED this 26th day of June, 2007 by the following vote, to wit:

AYES:	
NOES:	
ABSENT:	
	·
	Robert A. Crain, Mayor

I, Virginia Rivera, City Clerk of the City of Blythe, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Blythe held on the 12th day of June, 2007, and was finally passed at a regular meeting of the City Council of the City of Blythe held on the 26th day of June, 2007.

AYES: NOES: ABSTAIN: ABSENT:

ATTEST:

Virginia Rivera, City Clerk, City of Blythe

(SEAL)

RECORDING REQUESTED BY	
AND WHEN RECORDED MAIL TO:	
City Clerk	
Y	
City of Blythe	
235 North Broadway	
Blythe, Ca 92225	CDACE ADOLE FOR RECORDED AND AND
blythe, Od 52220	SPACE ABOVE FOR RECORDERS USE ONLY
	EVENDT DECORDING CCC 6 07200

Blyti	he, Ca 92225	SPACE ABOVE FOR RECORDERS USE ONLY
		EXEMPT RECORDING FEE § 27383
Notic	NOTI: ee is hereby given that:	CE OF COMPLETION
1.		he owner of the interest or estate below in the property hereinafter described:
2,	The full name of the owner is: City of Blythe	
3.	The full address of the owner is: 235 North Bro	adway Blythe, California 92225
4.	The nature of the interest or estate is in fee.	
		(if other than fee, strike "in Fee" and insert, for example, "purchaser under contract of purchase," or "lessee")
5.	The full names and full addresses of all persons,	if any who hold title with the undersigned as joint tenants in common are:
	Names	Addresses
	None	
6.	A work of improvement on the property hereinafte	r described was completed on May 7, 2007. The work was:
	Construction of a Water Production & Treatment	Facility (Phase II)
7.	The name of the contractor, if any, for such work of	of improvement was:
	Mingus Constructors, Inc., P.O. Box 80587, Clark	dale, AZ 86324
8.	The property on which said work of improvement was completed is in the City of Blythe, California, County of Riverside, State of California, and is described as follows:	
	SECTION 28, TOWNSHIP 6 SOUT, RANGE 23 E MAP SHOWING 40 ACRE SUBDIVISION OF PO IN BOOK 6, PAGE 59 OF MAPS, RECORDS OF	OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF EAST, SAN BERNARDINO BASE AND MERIDIAN AS SHOWN BY "SECOND RTION OF LANDS OF PALO VERDE LAND AND WATER COMPANY" ON FILE RIVERSIDE COUNTY, CALIFORNIA. SAID PROPERTY IS ALSO KNOWN AS WATER PRODUCTION AND TREATMENT FACILITY.
9,	The street address of said property is: 554 RA	ANCHETTE ROAD, BLYTHE, CA 92225
	,	(if no street address has been officially assigned, insert "none")
		Ву:
	Attest: City Clerk	Robert Crain, Mayor City of Blythe
		Oity of Diythe
	· ·	VERIFICATION
, the compl	undersigned, say: I am the Mayor of the City of Blythe letion and know the contents therof; the same of my o	the Declarant of the foregoing notice of completion; I have read said notice of own knowledge.
decla	are under the penalty of perjury that the forgoing is tru	e and correct.
Execu	ıted on,2007, at	Blythe, California

(Personal signature of the individual who is swearing that the contents of the notice of completion are true)

June 26, 2007

TITLE:

Approval of (Final) Parcel Map 34961

APPLICANT:

Reynalda Pascua

P.O. Box 2404 Blythe, CA 92226

ENGINEER:

Michael D. Reilly

3830 Sandy Point Drive

Blythe, CA 92225

LOCATION:

12210 Florence Blvd. - Assessor's Parcel Number 824-191-033

PROJECT DETAILS: Parcel Map 34961 entails division of one (1) 0.96± acre parcel into three (3) separate parcels. Proposed Parcel No. 1 is 0.32± acres, Proposed Parcel No. 2 is 0.28± acres and Proposed Parcel No. 3 is 0.36± acres in size. Parcels 1-3 will have primary access from Florence Blvd. and each is intended for single family residential development.

FINDINGS:

- 1. Tentative Parcel Map 34961 was approved, with conditions, by City Council Resolution No. 06-670 on September 12, 2006.
- 2. Parcel Map 34961 is in substantial compliance with approved Tentative Parcel Map 34961.

RECOMMENDATION: It is recommended that the City Council approve recordation of Parcel Map 34961.

Respectfully Submitted:

Jennifer L. Wellman, AICP

Rlanning Director

Concurrence:

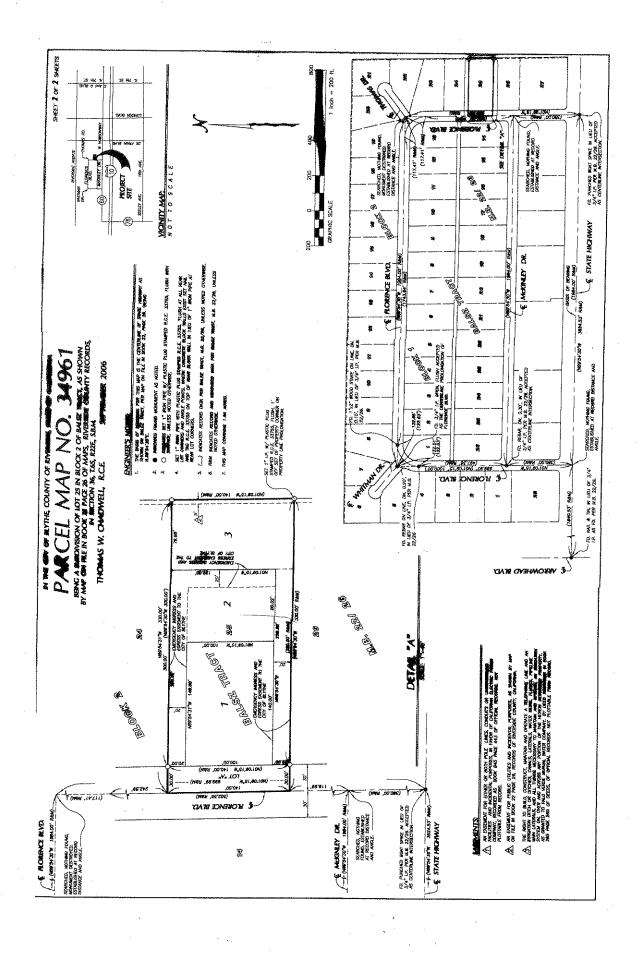
Les Nelson City Manager

ATTACHMENT: Parcel Map 34961

SHEET TOF 2 SHEETS PLED THE DAY OF MASS, AT PAGES 2007 AT AT THE REQUEST OF THE CETY CLEDK. ANNERSON RELATION, PLANSING SPECTOR LARRY W. MARD COUNTY ASSESSOR-CLEWN-RECORDER PARSONN TO SECTION BOADS (A/A)A/A) OF THE SECTION BOAD OF THE SECTION OF THE SECT A. J. T. R. SORT, TO REAL, ORGANISTS, MINISTER, NO DEPOSE A TELEPHONE LINE, AND AN SERVICION, STONE OF SERVICE ASSESSMENT FRANCE, MANY SERVICES, ALC. AND ALL THESE SERVICES, MINISTER, SERVICES, AND COLVICATION STATISMENT.

(WINDOWS OF THE COLVIN ON THE COL 1. WE ENGINEER THE ETITING OF BRITE ME, 1985, COMBARS OF UNICHARGO. THE CHARGE WAS INCOMEDIAL FOR THE SECOND OF THE SECOND OF THE COMPANY, RECORDED AS DOOK SAY PARK AND OF HERBOR. RESPONSE. 2. AN EMBREAR FOR PUBLIC UNIQUES AND INTERPORTS, FOR STORM BY LARP CH. FLE IN BOOK 22 PACE 35, REVORDED OF REMEMBER COUNTY, CALESPARA. OT CASE AS EX-OFICE CLERK OF THE CITY COUNCE. DESCIOR OF LENGTH-SPIT SERVINGS STATEMENT FOR THE SERVINGS STATEMENT WITH THE SERVINGS WITH THE SERVINGS WITH THE CONTINUES WITH THE CONTINUES OF THE SERVINGS STATEMENT OF THE SERVINGS STATEMENT OF THE SERVINGS STATEMENT STATEMENT STATEMENT STATEMENT SERVINGS STATEMENT STATEM RECORDER'S STATEMENT SUBDIVISION GUNDARIESES BY: SOME OWNSONS BENC A SURDINGON OF LOT 25 IN BLOCK 2 OF BALSZ TRACT, AS SHOWN BY MAP ON RE IN BOOK 22 PAGE SO FAMPS, ENRESHIPE COUNTY RECORDS, IN SECTION 35, TAR, RZZE, SBA.

THOMASS W. CHADWELL, R.C.E. SEPTEMBER 2006 PARCEL MAP NO. 34961 Thomas W. Reducell SEPTEMBER 2006 IN THE CITY OF BLYTHE, COLOMY OF BREEFING, STREET, OF COLOMB COSEN THE BOND FIRST BARDWELL CORRECT THE COLLECTOR PASIC MEROMENT, CORNEY TAX COLLECTOR BENITY HOUSE AND A CONTRACT OF A CONT MALES 6977 MALES 6977 MALES 6977 CITY SURVEYOR'S STATEMENT. NAMON ROMERO CLERK OF THE HOMBO OF SUPERMISTRES 1 HARRIN CETTINY DAY A MAND M DEEP EN CONTROL DE MEN THE MAND OF TENNING DE MAND OF TENNING DE MAND OF TENNING DE MAND OF TENNING DAY OF TENN TAX MOND CIRTURGAM WE 4-26-07 PATE: (5.13:0) DACINERYS STA OMBRENS STATEMENT:
WE RESERVE STATEMENT STATEMENT THE LANG MIXTURES BROWN TO SERVENCE
STATEMENT HOW THE CONTROL OF THE LANG MIXTURES BROWN TO MIXE THE CONTROL OF THE CONTROL OF THE CONTROL OF THE SERVENCE OF THE SERVENCE WAS SOMEWING THE SERVENCE LINE. WE HOWER DEBICKIE TO THE CITY OF BLYTNE FOR STREET AND PUBLIC UTLITY PURPOSES. OF N. ANY COMMISSION EXPIRES. IN ALSO HENGEN BESIXING TO THE CITY OF BLYTHE A 20.00 FOOR SHOPMENT FOR EMPROPERT FOR 4-4-2010 M PRINCIPAL PLACE OF BUSINESS IS IN BUNCTEFELL. COUNTY. R. Partial Column NOTARY ACROOMEDICATED MINESS MY HAND AND OFFICIAL SEAL. Olas ynes (as the



BLYTHE CITY COUNCIL

TO:

MAYOR AND CITY COUNCIL

FROM:

A.C.M. - C. HUJA

DATE:

JUNE 26, 2007

SUBJECT:

COOL CENTER AGREEMENTS WITH RIVERSIDE COUNTY

COMMUNITY ACTION PARTNERSHIP

BACKGROUND:

As summer temperatures climb over 100 degrees, the State of California, Office of Emergency Services and Riverside County Office on Aging have again asked for the establishment of Cool Centers in those geographic areas where temperatures are extreme. The City of Blythe has in years past provided various facilities to accommodate that request. Staff is proposing to again offer the Community Center and City Hall as the local relief sites per the attached Agreements.

RECOMMENDATION:

Staff recommends the City Manager be authorized to sign the attached Memorandum of Participation for both the City of Blythe Community Center at 445 North Broadway and Blythe City Hall at 235 North Broadway.

Concurrence by City Manager: Oles Welson



MEMORANDUM OF PARTICIPATION BLYTHE COMMUNITY CENTER AND

COMMUNITY ACTION PARTNERSHIP OF RIVERSIDE COUNTY

This Memorandum of Participation (MOP) is made and entered into between Blythe Community Center and Community Action Partnership of Riverside County (CAP Riverside).

I. TERM:

A. This MOP shall be in effect from July 1, 2007 to October 31, 2007.

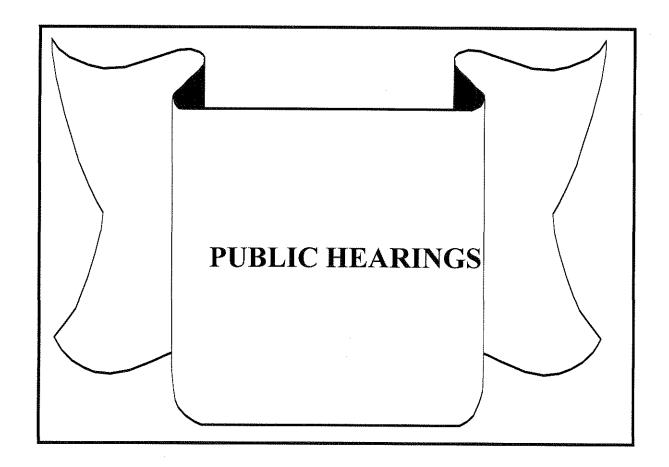
II. PURPOSE:

A. To provide support for CAP Riverside's 2007 Summer Energy Crisis Response Plan in Riverside County. The plan is a comprehensive response to severe heat conditions across the county. The plan incorporates the coordination of Cool Centers countywide to serve as drop-in sites for individuals seeking relief from the heat.

III. RESPONSIBILITIES:

- A. Blythe Community Center Responsibilities:
 - 1. Monitor the Cool Center during a declared Heat Warning.
 - 2. Provide sign-in sheets for each day the Cool Center is activated. Sign-in sheets must be submitted to CAP Riverside by the 5th of each month.
 - 3. Coordinate and distribute snacks and water to participants at the Cool Center.
 - 4. Provide opportunities for participants to have access to community resources via distribution of information, scheduling of presentations, etc.
 - 5. Complete and return to CAP Riverside the attached In-Kind Gift/Service Receipt by November 5, 2007.
- B. Community Action Responsibilities:
 - 1. Provide training on Heat Warning activation criteria.
 - 2. Provide notification of Heat Warnings and Cool Center activation.
 - 3. Provide snacks and water supplies for the Cool Center.
 - 4. Provide technical assistance.

Blythe Community Center 445 North Broadway Blythe, CA 92225 Lois J. Carson Executive Director Community Action Partnership of Riverside County



SUBJECT: Conditional Use Permit 2006-08

LOCATION: 1205 West Hobsonway - Assessor's Parcel Number 836-180-026

OWNER(S): Romeo & Maria Ang

326 North Acacia Blythe CA 92226

AGENT:

Robert Means

250 East Hobsonway Blythe CA 92225

GENERAL PLAN LAND USE AND ZONING DESIGNATION: CG (General Commercial) SURROUNDING ZONING AND LAND USES:

NORTH: CG (General Commercial), RL1 (Low Density Residential), RL2 (Low Density

Residential) - Occupied commercial property, vacant and occupied residential

properties, West Barnard Street;

SOUTH: CG (General Commercial) – Vacant and occupied commercial properties. Interstate

Highway 10;

EAST: CG (General Commercial) - Vacant and occupied commercial and industrial

properties, North Carlton; and,

WEST: CG (General Commercial) – Occupied commercial properties, Riverside County.

PROJECT DESCRIPTION: The proposed project entails the rehabilitation of the [former] Winston Tire building and subsequent use of said building as a drive-thru market and adult day care center. The rehabilitation of the building and its use as a drive-thru market are allowed by right in the General Commercial zone. The adult day care center requires issuance of a Conditional Use Permit by the Blythe City Council. As part of the proposed project, exterior elements of the site (i.e. parking, landscaping) will also be rehabilitated and brought into compliance with current ADA and zoning requirements.

BACKGROUND: This item was presented for Public Hearing at the February 6, 2007, meeting of the Planning Commission. At that time, staff was unable to make a recommendation relative to approval of the Conditional Use Permit for the adult day care center because the required findings [regarding conflicts] could not be made and the item was continued to the meeting of March 6, 2007.

Pursuant to Commission direction during the February 6th meeting, staff met with the project applicant and agent to discuss mitigation techniques that are appropriate and feasible to alleviate the potential conflicts between the [two] proposed uses. Following is a summary of the [potential] conflicts identified by staff and the Commission and the proposed mitigation techniques previously referred to. A diagram showing the location of the physical improvements referred to below may be found as *Attachment F* to this report. Additionally, the improvements have been added to the list of conditions as Conditions of Approval Nos. 34 through 39.

ISSUES IDENTIFICATION/RESOLUTION:

• Pedestrian / Vehicle Conflicts

The applicant proposes to construct a 42" high decorative slump block wall along the [south] drive thru lane to prevent 1) pedestrian crossing outside of the designated "crosswalk" and 2) to prevent vehicles from passing through the loading/unloading and parking area where pedestrians may be present while accessing their vehicles or moving toward the parking area to the west.

• Patio Security

The applicant proposed to construct a 42" high decorative slump block wall with wrought iron fencing (to a maximum of 6') around the perimeter of the patio. A security gate will be installed that will allow emergency egress from the patio, but will prevent entrance into the patio area by the general public. An alarm may be installed on the gate to notify center staff when the gate has been opened.

• Center Security / Access

o The applicant has indicated that a manned reception desk will be located at or near the primary entrance to the center. Each resident will be required to sign-in upon arrival and sign-out upon departure. The manned reception desk is also intended to prevent unauthorized access to the center and/or the patrons of the center.

Patron and Staff Parking

- Two of the parking spaces shown on the original site plan will be designated as loading / unloading spaces. Appropriate signage will be installed.
- The balance of the parking spaces provided near the Adult Day Care Center will be designated for patron parking, with a minimum of one ADA accessible space appropriately designated, signed and striped.
- o Staff parking will be accommodated to the west of the building, in the existing, shared parking area that serves the balance of the shopping/professional center.

PLANNING COMMISSION ACTION: Public Hearing (February 6, 2007) - Director Wellman provided the staff report for the Public Hearing on Conditional Use Permit (CUP) 2006-08, being a request to convert an existing building located at 1205 West Hobsonway into a drive-thru market and adult day care center. The drive-thru market is an allowed use for the site and the adult day care center requires the issuance of a Conditional Use Permit. Chairperson Jessop-Watkins opened the Public Hearing.

Applicant's Agent, Bob Means, provided a brief overview of the project addressing concerns set forth in the staff report. The project applicant was present in the audience. There having been no further comment, the Public Hearing was then closed. Lengthy discussion was held between the Applicant, Agent, Commission and Staff. At conclusion of said discussion, Commissioner Copple entered a motion to continue the matter to allow time for the Planning staff and the Applicant/Agent to discuss options in addressing the current pedestrian and traffic conflicts associated with the project as proposed. Commissioner Bolliger seconded the motion. 5-0 Aye vote. Matter was continued.

Continued Item (March 6, 2007) - Director Wellman provided the staff report for the continued hearing on Conditional Use Permit (CUP) 2006-08, being a request to convert an existing building located at 1205 West Hobsonway into a drive-thru market and adult day care center. The drive-thru market is an allowed use for the site and the adult day care center requires the issuance of a Conditional Use Permit. Secretary Burrow advised the Commission that the Applicant's Agent, Bob Means, was not going to be present due to illness. There was no appearance by the applicant. Chairperson Jessop-Watkins opened the matter for public comment. Absent any public comment, the matter was then referred to the Commission for dialogue on the issues. Commissioner Vikse indicated that in his opinion, the 42" wall "makes the project

worse, not better, especially for ADA accessibility." Commissioner Vikse was concerned about handicap persons having to cross over the store's drive-thru lane of traffic. Chairperson Jessop-Watkins also raised concern that persons leaving the building would exit directly into the "drive-thru" traffic. Commissioner Copple commented on the limited space availability on the drive-thru lane and the encroachment of same into the bus and van loading & delivery area for the day care center. Chairperson Jessop-Watkins presented information regarding the use of surrounding facilities in the area and the types of clients that will frequent the area (i.e. County Mental Health Building, Substance Abuse Program Office, Employment Development Department, Child Protective Services, Doctor's offices, etc.). Chairperson Jessop-Watkins commented on the likely incompatible interaction between said clients and the senior patrons of the day care center. Commissioner Copple addressed the need for the type of service proposed in the day care center and understanding of the need for one business to support the other, as indicated by the applicant at the last meeting. Vice Chairperson Maley indicated the benefit received to the City in the rehabilitation of a blighted building.

Director Wellman provided explanation of the necessary findings for the project. Director Wellman proposed adding a condition of approval that required the applicant to receive quarterly reviews for the first year before actual approval of the Conditional Use Permit for an extended period of time. Said reviews would allow the City to monitor the day care center and its compatible use next to the market.

Subsequent to discussion held, Vice Chairperson Maley entered a motion to recommend to City Council approval of the Notice of Exemption prepared for Conditional Use Permit 2006-08. Commissioner Bolliger seconded the motion. 5-0 Aye vote. Thereafter, Commissioner Bolliger entered a motion to recommend to City Council approval of Conditional Use Permit 2006-08, subject to conditions. Vice Chairperson Maley seconded the motion. 4-1 Aye vote. Chairperson Jessop-Watkins explained that her no vote was based on her belief that findings number(s) 4 and 5 (i.e. compatibility) could not be made as required for a recommendation of approval.

STAFF ANALYSIS: While use of the building as an adult day care center <u>or</u> a drive-thru market makes good sense, combined use of the site as proposed is still of some concern to staff. Specifically, conflicts that may arise when two such opposite uses and potentially opposite populations are brought together. However, the applicant has indicated her willingness to comply with the [current] revised Draft Conditions of Approval which are intended to reduce / eliminate conflicts between the uses and populations.

FINDINGS:

- 1. The proposed use is one conditionally permitted within the subject zone and complies with all of the applicable provisions of the Zoning Ordinance.
- 2. The proposed use would not impair the integrity and character of the district in which it is to be located.
- 3. The subject parcel is physically suitable for the type of land use being proposed.
- 4. The proposed location of the conditional use and the conditions under which it will be operated and maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- 5. The proposed use is compatible with the existing uses on the project site and uses within the project vicinity.
- 6. There are adequate provisions for water, sanitation and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

- 7. The proposed project is exempt from the provisions of CEQA pursuant to Section 15301 *Existing Facility* of the CEQA Guidelines..
- 8. The environmental analysis of the project reflects the independent judgment of the City of Blythe.

ENVIRONMENTAL REVIEW: The City of Blythe has determined that this project is exempt from provisions of CEQA pursuant to Section 15301 *Existing Facilities* of the CEQA Guidelines and a Notice of Exemption will be filed.

STAFF RECOMMENDATION: It is recommended that the City Council, subsequent to the public hearing thereon:

- 1. Adopt Resolution 07-721 Approving the Notice of Exemption prepared for Conditional Use Permit 2006-08; and,
- 2. Adopt Resolution 07-722 Approving Conditional Use Permit 2006-08, subject to conditions as attached.

ATTACHMENTS:

- A. Resolution 07-721, with Exhibit A
- B. Notice of Determination
- C. Notice of Exemption
- D. Resolution 07-722, with Conditions of Approval
- E. Plot Plan, Building Elevation, Site Details
- F. Diagram showing location of physical improvements

Respectfully Submitted:

Jehnifer L. Wellman, AICP
Planning Director

Concurrence:

Les Nelson
City Manager

RESOLUTION NO. 07-721

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NOTICE OF EXEMPTION FOR CONDITIONAL USE PERMIT 2006-08

WHEREAS: The City Council of the City of Blythe at its regularly scheduled meeting of June 26, 2007, conducted a public hearing to consider Conditional Use Permit 2006-08 being a request to allow the conversion of an existing building located at 1205 West Hobsonway into a drive-thru market and adult day care center. The General Plan Land Use and Zoning designation of the site is CG (General Commercial). The drive-thru market being an allowed use in the General Commercial zone. The adult day care center requiring issuance of a Conditional Use Permit by the Blythe City Council. The project site is legally described as Assessor's Parcel Number 836-180-026; and

WHEREAS: The City Council considered the following findings in its review of the environmental circumstance for this project:

- 1. That the project is exempt under State CEQA Guideline Section 15301 Existing Facility
- 2. That a Notice of Exemption, in accordance with the California Environmental Quality Act, was prepared for the project.
- 3. That review of the environmental circumstances regarding this project indicates that no adverse impacts would accrue to wild life resources from implementation of the project.
- 4. That the project may proceed subsequent to approval and/or conditional approval of the State Department's consideration of a "de minimus impact" pursuant to Section 711.2 et seq. of the Fish and Game Code.
- 5. That the environmental assessment and analysis prepared for this project reflect the independent judgment of the City of Blythe.

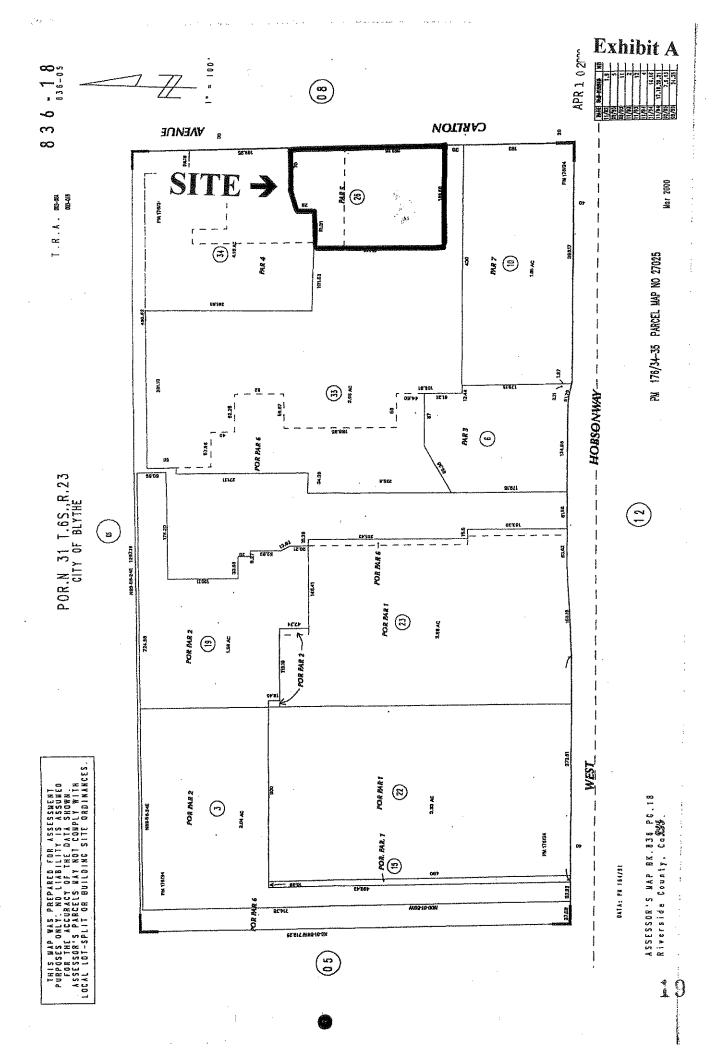
NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Blythe does hereby approve the Notice of Exemption prepared for Conditional Use Permit 2006-08 for the .92± acre site shown on Exhibit "A" attached hereto and incorporated herein by this reference.

PASSED, APPROVED, and ADOPTED this 26th day of June, 2007, by the following called vote, to wit:

AYES:
NOES:
ABSENT:

Robert A. Crain, Mayor

Virginia Rivera, City Clerk (S E A L)



NOTICE OF DETERMINATION WITH DEMINIMIS IMPACT

то:	Office of Planning and 1400 Tenth Street, Roc Sacramento, CA 9581	om 121	_X	Riverside County Clerk PO Box 751 Riverside CA 92502-0751
FROM:	City of Blythe 235 North Broadway Blythe CA 92225 (760) 922-6130	PROJECT API	PLICANT	7: Romeo & Maria Ang 326 North Acacia Blythe CA 92226 (760) 921-6457
SUBJEC	CT: Notice of Determination	in compliance with	Section 2	1108 or 21152 of the Public Resources Code.
PROJE	CT TITLE: Conditional Us	e Permit 2006-08		
STATE	CLEARINGHOUSE NUM	BER: N/A		
CONTA	CT PERSON/PHONE: Je	nnifer Wellman, AIG	CP - (760)) 922-6130 ext. 246
PROJEC	CT LOCATION: 1205 Wes	t Hobsonway (Asses	ssor's Par	cel Number 836-180-026)
drive-thru Designat zone. Th This is to project an 1. T 2. — 3. M	u market and adult day care control of General Commercial. The adult day care center required advise the City of Blythe (I and has made the following decorate project will, _X_ was An Environmental Impa X_ A Notice of Exemption Mitigation measures we	enter. The site is zon. The drive-thru mar res issuance of a Contead Agency/Respontermination regardinal results of the contead of the contea	ted CG (G ket is an a aditional I asible Age ag the abor- ficant effe- red for thi s project pade a con	ct on the environment. is project pursuant to the provisions of C.E.Q.A bursuant to the provisions of C.E.Q.A. dition of the approval of the project.
5. A	A mingation reporting or mon A statement of Overriding Co Findings X were, were,	nsiderations w	as, <u>X</u> w	was not, adopted for this project. vas not, adopted for this project. provisions of CEQA.
This is to Blythe D	o certify that the Notice of Exevelopment Services Departm	kemption and record nent, 235 North Broad	l of projec adway, Bl	ct approval is available to the general public at sythe, California
Jennifer V Planning	Wellman, AICP Director		Da	ate Received for filing at OPR: N/A
Data				

NOTICE OF EXEMPTION With

De Minimis Impact Finding

TO: Office of Planning and R	lesearch
-------------------------------------	----------

PO Box 3044, Room 222 Sacramento, CA 95812-3044 **FROM:** City of Blythe

235 North Broadway Blythe CA 92225

County Clerk County of Riverside PO Box 751

Riverside CA 92502-0751

Project Title:

Conditional Use Permit 2006-08

Project Location:

1205 West Hobsonway (Assessor's Parcel Number 836-180-026)

Project City:

City of Blythe

Project County:

County of Riverside

Project Description: Conversion of an existing building located at 1205 West Hobsonway into a drive-thru market and adult day care center. The site is zoned CG (General Commercial) with a General Plan Designation of General Commercial. The drive-thru market is an allowed use in the General Commercial zone. The adult day care center requires issuance of a Conditional Use Permit by the Blythe City Council.

Name of Public Agency Approving Project:

City of Blythe

Name of Person/Agency Carrying Out project:

Romeo and Maria Ang 326 North Acacia Blythe CA 92226 (760) 921-6457

Exempt Status: (check one)

Ministerial (Sec. 21080(b)(1): 15268

____ Declared Emergency (Sec. 21080(b)(3): 15269(a)):

Emergency Project (Sec. 21080(b)(4); 15269(b)(c)):

X Categorical Exemption: Section 15301 Existing Facilities

_____ Statutory Exemption:

Reason(s) why project is exempt: The project consists of the rehabilitation and subsequent us of an existing commercial structure in an existing commercial retail center.

Lead Agency Contact Person:

Jennifer Wellman, AICP, Planning Director

Telephone Agency Telephone No.:

(760) 922-6130 ext. 246

RESOLUTION NO. 07-722

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVING CONDITIONAL USE PERMIT 2006-08

WHEREAS: The City Council of the City of Blythe at its regularly scheduled meeting of June 26, 2007, conducted a public hearing to consider Conditional Use Permit 2006-08, being a request by Maria and Romeo Ang to allow the conversion of an existing building located at 1205 West Hobsonway into a drive-thru market and adult day care center. The General Plan Land Use and Zoning designation of the site is CG (General Commercial). The drive-thru market being an allowed use in the General Commercial zone. The adult day care center requiring issuance of a Conditional Use Permit by the Blythe City Council. The project site is legally described as Assessor's Parcel Number 836-180-026; and

WHEREAS: The City Council after hearing and considering all written and oral testimony and arguments, if any, of all interested persons desiring to be heard, did arrive at the following findings to justify approval of Conditional Use Permit 2006-08:

- 1. The proposed use is one conditionally permitted within the subject zone and complies with all of the applicable provisions of the Zoning Ordinance.
- 2. The proposed use would not impair the integrity and character of the district in which it is to be located.
- 3. The subject parcel is physically suitable for the type of land use being proposed.
- 4. The proposed location of the conditional use and the conditions under which it will be operated and maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- 5. The proposed use is compatible with the existing uses on the project site and uses within the project vicinity.
- 6. There are adequate provisions for water, sanitation and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.
- 7. The proposed project is exempt from the provisions of CEQA pursuant to Section 15301 *Existing Facility* of the CEQA Guidelines.
- 8. The environmental analysis of the project reflects the independent judgment of the City of Blythe.

NOW, THEREFORE, BE IT RESOLVED: That the Blythe City Council does hereby approve Conditional Use Permit 2006-08 subject to conditions as attached.

wit:	PASSED, APPROVED, and AD	OPTED this 26 th day of June, 2007, by the following called vote, to
	AYES: NOES: ABSENT:	
ATTE	est:	Robert A. Crain, Mayor
Virgin	ia Rivera, City Clerk	

(SEAL)

CITY OF BLYTHE CONDITIONS OF APPROVAL

Conditional Use Permit 2006-08

Project Applicant: Romeo & Maria Ang

- 1. The permittee shall defend, indemnify, and hold harmless the City of Blythe, its' agents, officers and employees from any and all claim(s), cost(s) or expenses(s), including legal fees and costs, action(s) or proceeding(s) against the City of Blythe or its agents, officers or employees to attach, set aside, void or annul an approval of the City of Blythe concerning the proposed Conditional Use Permit and the associated environmental document(s) regardless of whether or not litigation is commenced or arbitration requested.
- Development of the site shall comply with the mandatory requirements of all City of Blythe
 Ordinances and Resolutions, all applicable State and Federal Codes and Laws and shall
 substantially comply with the conditionally approved Site Plan.
- 3. The Conditional Use Permit (CUP) shall lapse if no improvements have been made to the site or if the permittee does not utilize the permit within one (1) year from the date upon which the permit is granted.
- 4. For all private improvements, a completed building permit application (with valuation of work) and three (3) complete sets of construction/installations plans, including Title 24 Documents, shall be submitted to the City Building Department. Please allow 15 working days for processing of application and plans.
- 5. For all public improvements, a completed building permit application (with valuation of work) and four (4) complete sets of construction/installations plans shall be submitted to the City Building Department. Please allow 30 working days for processing of application and plans.
- 6. All contractors and/or sub-contractors for the project must obtain a City Business License before commencing work within the City limits.
- 7. All contractors and/or sub-contractors for the project must hold a current and active California State Contractors License and provide verification of workers compensation insurance. Said information shall be provided to the City Building Department prior to start of trade.

Existing landscape areas shall be rehabilitated pursuant to the following:

- a. Landscaping shall be installed per BMC Section 17.22. Said landscaping shall be installed prior to final inspection. A detailed landscape plan shall be submitted with building permit application(s). The landscape plan shall include a list of all proposed plants (common and botanical names), the quantity and size of each type of plant and a schematic of the full coverage irrigation system.
- b. Plants should be drought tolerant and low maintenance and shall consist of an effective combination of trees, lawn and/or ground cover, shrubs and desert vegetation as approved by the Planning Director.

- c. In order to promote water conservation, weed and dust control, all unplanted landscape areas shall be mulched with a minimum of two inches of ¾" crushed rock. A sample of the proposed material shall be submitted with the landscape plan for review and approval.
- d. For every two hundred square feet of landscaping, a minimum of one deciduous or evergreen tree conforming to the measurements specified below shall be planted in a tree well sized to properly accommodate the intended tree. Suitable protection shall be provided to trees and public works from traffic.
 - i. Minimum branching height for all shade trees shall be six feet.
 - ii. Minimum size for shade trees shall be 3.5 to four inches in diameter measured six inches above grade; and, 12 to 14 feet in height.
- e. All landscaped areas must be equipped with a properly maintained, permanent, automated, underground, full-coverage irrigation system meeting the approval of the Planning Director and protected from vehicular traffic by a [minimum] six inch high curb.
- f. Because landscape water meters do not incur waste water fees, it is recommended that a landscape water meter be installed.
- 8. In addition to any landscaping maintenance, weed and graffiti abatement shall be the responsibility of the applicant/developer. The applicant, permittee, assignee or any successor-in-interest shall maintain the property and landscape area in a clean, neat, and healthful condition.
- 9. The street address must be posted in the upper right corner of the building, clearly visible from Hobsonway. The numbers must be a minimum of 12" high and in contrasting color to the background.
- 10. Adequate/suitable containers for the storage & disposal of trash must be installed to City of Blythe Standards. The location of the trash enclosure shall be maintained in a clean and healthful condition at all times and shall not become subject to loose debris in the area. The trash containers shall be equipped with Palo Verde Valley Disposal locks to prevent unwanted/unnecessary access into the containers.
- 11. All exterior mechanical equipment must be screened from view. Screening of mechanical equipment should be integrated as part of the site and building design. Plain boxes and/or lattice screening is not acceptable. Screening details should incorporate "capping" elements and the same exterior trim details and materials found elsewhere on the site.
- 12. The applicant shall install on-site security lighting. Security lighting shall comply with City of Blythe Municipal Code Section 17.28.030 as it pertains to off-site lighting and glare. The placement, size and type of lighting shall be shown on improvement plans and shall be approved by the Development Services Department. Lighting alternatives and design must cause the least disturbance to the surrounding views.
- 13. Parking: All parking areas, including those for outdoor automotive display, sales and storage, shall be surfaced or paved with asphalt concrete of at least two and one-half inches thickness over a suitable base materials, and shall thereafter be maintained in good condition. However, should use or soil conditions necessitate, the Planning Director may require additional paving or lot improvements (Reference BMC Section 17.60.050 Design of outside storage and

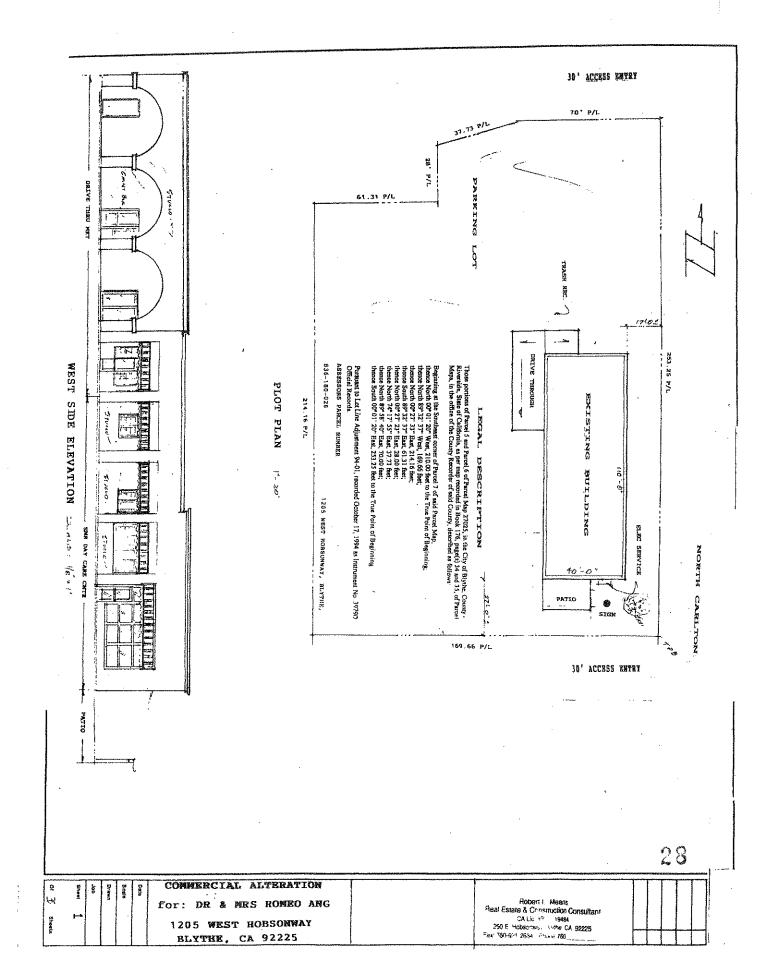
Section17.16.120.G Design-Nonresidential). A parking lot stripping plan shall be submitted to the Building Department for approval.

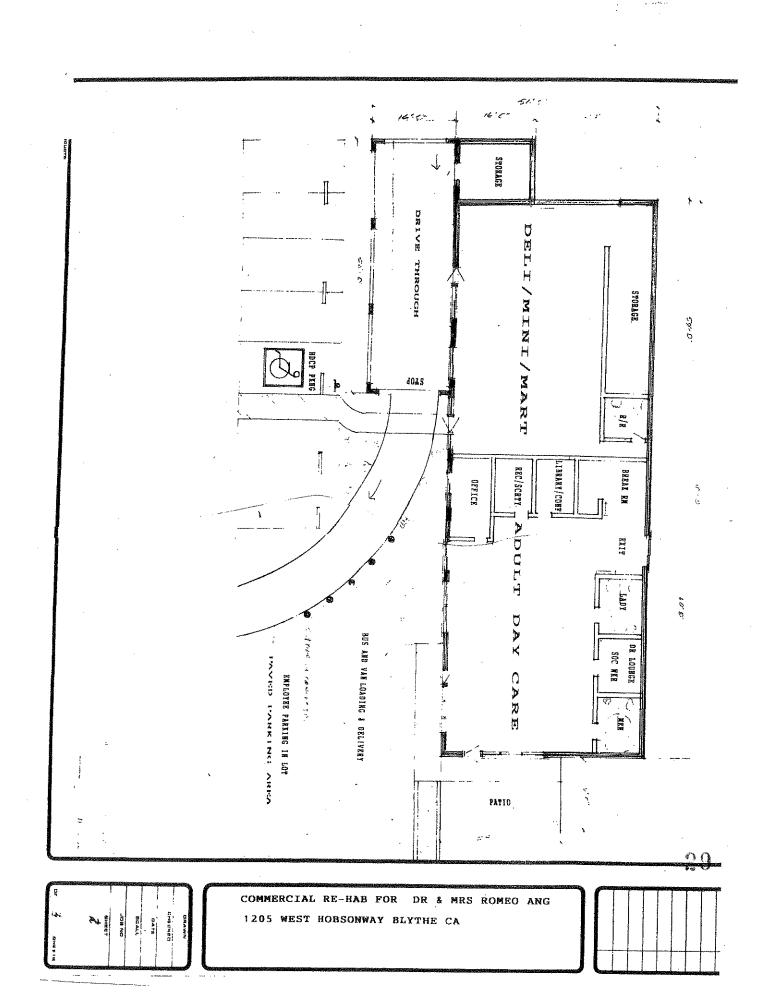
Handicapped Requirements - Two percent of total required spaces shall be handicapped. The handicapped parking stall ramp slope shall not be more than ¼" per foot and must be as close as possible to the primary entrance of the building (BMC 17.16.120D).

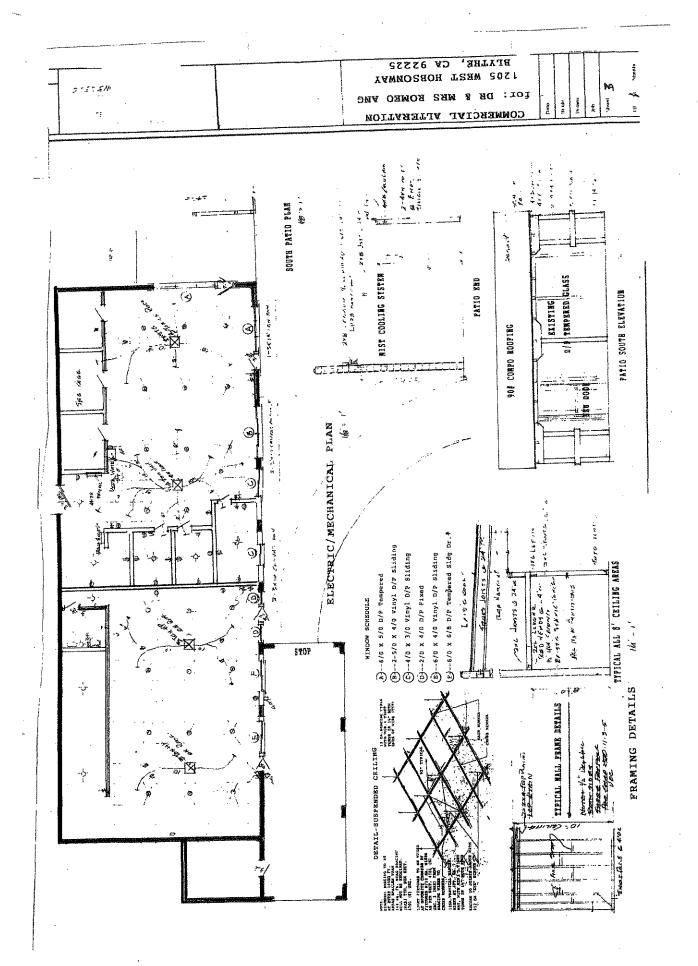
- 14. Verification of all appropriate State and County agency licensing and approvals shall be provided to the City of Blythe Development Services Department prior to issuance of a Certificate of Occupancy.
- 15. All plans and specifications shall comply with the most recent addition of the California Building, Plumbing, Electrical, Mechanical, Energy and all other applicable Codes in effect at the time of permit application.
- 16. Plans shall be submitted for any alterations/additions to the building's structural components, electrical system, plumbing system or mechanical equipment. A T-24 Energy Compliance document shall be incorporated into the submittals with mandatory compliance items shown on the plans.
- 17. Permits may be issued "owner-builder" with the exception that the electrical and plumbing permits shall be issued to properly licensed California Contractors only. The T-24 document will address the HVAC requirements and a licensed contractor may be required (Note that the 2005 CA Energy Code also addresses exterior lighting and signage).
- 18. Parking, entrance components, and in-store path of travel shall comply with Chapter 11B of the 2001 California Building Code for accessibility in commercial buildings. Means of egress shall be provided as specified in Chapter 10 of the 2001 California Building Code. The potential occupant load of the store will require a second exit meeting the requirements of emergency egress.
- 19. The 2,800 square foot convenience store will be classified as a "M" occupancy. Lighting, ventilation and sanitation shall be as specified in Chapters 12 and 29 of the 2001 California Building Code.
- 20. The 3,360 square foot day care center will be classified as an "E-3" occupancy. A one (1) hour fire wall assembly will be required between the two occupancies. Storage and use of flammable and combustible liquids shall be in accordance with the 2001 California Fire Code.
- 21. All work performed in the public right-of-way (ROW) shall conform to the City of Blythe Standard Drawing and Specifications and shall meet all current ADA requirement (e.g. sidewalk and driveway aprons). Copies are available at the Department of Public Works for \$30.00 per copy. It is recommended that prior to the start of design drawings a copy should be obtained.
- 22. If construction work in the ROW exceeds \$3,500 in valuation the contractor for the developer shall post a performance bond equal to the cost of the work prior to issuance of an encroachment permit to work in the ROW.
- All plans and specifications for work in the right-of-way shall be prepared by an engineer or architect licensed in the State of California to perform such work.

- 24. Before commencing work in the right-of-way, a representative of the applicant shall attend a preconstruction meeting with the Department of Public Works to discuss issues pertaining to traffic control and public safety.
- 25. All plans prepared by for submission to Public Works shall be done on 24-inch by 36-inch sheets, as per the Standard Specifications.
- 26. The applicant/owner shall remove existing accessibility ramps on North Carlton (immediately north and south of the property) and construct two new accessibility ramps per City Standard Drawing S-210, matching existing sidewalk grade, such that a smooth transition is made from existing sidewalk and new ramp, and existing flow line grade, such that flow is facilitated to the existing storm drain inlets. Armor-Tile truncated dome detectable surface, or approved equal, shall be incorporated into the accessibility ramps, per manufacturer's specifications and meeting all current ADA requirements.
- 27. The applicant/owner shall install 2 new stop signs at both egresses north and south of the property per City Standard Drawings S-227 (modified with a 2 ½" Diameter Galvanized Steel Pole with a hot dipped Galvanized Steel 2"x2" perforated square post with break-a-way sleeve).
- 28. The applicant/owner shall have a Reduced Pressure (RP) backflow device installed on the existing building, if not already having one. Contact the Public Works Department (760) 922-6611 for a list of approved RP devices.
- 29. The applicant/owner shall remove the existing water meter and replace with a Sensus SR-II touch read, or approved equal, as well as a touch read meter box lid per City Standard Drawing W-300.
- 30. The Department of Environmental Health Services (EHS) requests that plans be submitted for review and approval prior to building permit issuance.
- 31. The Blythe Police Department submitted the following comment during Project Review Committee. There is a concern that the drive-thru located at the front of the market business will be unsafe for pedestrian traffic when crossing said drive-thru to enter/exit the business.
- 32. The Palo Verde Transit Agency submitted the following comment(s) during Project Review Committee. Site plan should include proper accommodation of an ADA accessible loading area for pick up and drop off of clients utilizing the adult day care. Typically adult day care centers use public and private buses or vans to transport their client to and from their programs. Most clients have limited mobility or cognitive impairments. It is necessary to have a controlled loading and unloading area that provides room to load a person using a wheelchair on to a bus. This area should be free from obstructions but must have distinct boundaries to prevent clients from wandering from the loading area.
- 33. A window or closed circuit monitoring device should be installed at the loading area so day care staff can monitor arrivals and departures of their clients. The two areas that appear ideal for a joining pick up and drop off would be on either side of the patio area but with consideration to a travel path of a 25-foot bus approaching, loading and leaving the site.
- 34. The applicant shall construct a 42" high decorative slump block wall along the [south] drive thru lane to prevent 1) pedestrian crossing outside of the designated "cross-walk" and 2) to prevent vehicles from passing through the loading/unloading and parking area where pedestrians may be present while accessing their vehicles or moving toward the parking area to the west.

- 35. The applicant shall construct a 42" high decorative slump block wall with wrought iron fencing (to a maximum of 6') around the perimeter of the patio. A security gate will be installed that will allow emergency egress from the patio, but will prevent entrance into the patio area by the general public. An alarm may be installed on the gate to notify center staff when the gate has been opened.
- 36. A receptionist shall be present at the reception desk which shall be located at or near the primary entrance to the center. Each resident will be required to sign-in upon arrival and sign-out upon departure. The manned reception desk is also intended to prevent unauthorized access to the center and/or the patrons of the center.
- Two of the parking spaces shown on the original site plan shall be designated as loading / unloading spaces. Appropriate signage will be installed.
- 38. The balance of the parking spaces provided near the Adult Day Care Center shall be designated for patron parking, with a minimum of one ADA accessible space appropriately designated, signed and striped.
- 39. Staff parking shall be accommodated to the west of the building, in the existing, shared parking area that serves the balance of the shopping/professional center.







t, t

BLYTHE CITY COUNCIL

TO:

Mayor and City Council

FROM:

Director of Finance

DATE:

June 26, 2007

SUBJECT:

Application for Taxicab Service

BACKGROUND

Pursuant to Blythe Municipal Code Chapter 5.72, no permit to operate a taxicab service shall be granted until a Public Hearing has been conducted by the City Council, and it has been determined that the operation of such taxicab service is a public convenience and necessity. Ms. Angelica M. Cordova has submitted an application to operate a taxi cab service located at 451 S. Main Street (Attachment 1).

All pertinent information has been submitted, and insurance will be in place prior to operation of business. Applicant history and business legitimacy will be investigated by the Blythe Police Department prior to issuance of the driver permits.

RECOMMENDATION

It is staff's recommendation that subsequent to the Public Hearing, thereon, the City Council authorize the City Clerk to issue a license/permit to conduct business as a taxicab service to Ms. Angelica M. Cordova, DBA: Reliable Ride Taxi, located at 451 S. Main Street.

Respectfully submitted,

Un Calbert

CONCUR:

Helen Colbert

Director of Finance

Les Nelson, City Manager

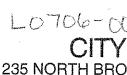
(ATTACHMENT 1) June 19, 2007

To your honorable Mayor and City Council,

My name is Angelica M. Cordova and I would like to open a taxi service in the city of Blythe. I know it will be a great service to our community:

Shank you goll

ANGELICA M. CORDOVA 1309 W. BARNARD ST. BLYTHE, CA 92225 (760)



Y OF BLYTHE

235 NORTH BROADWAY • BLYTHE, CA 92225 (760) 922-6161

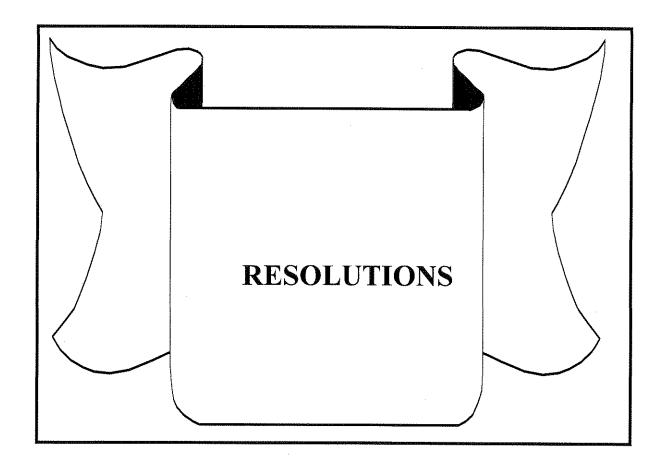
Renewal I	Requested
-----------	-----------

YEAR ENDING DEC., 31, 20_

OPENING DAY OF BUSINESS

APPLICATION FOR CITY BUSINESS LICENSE

	FEE MUST AC	COMPANY APPLICATION	I — NON-REFUND	ABLE	·	**************************************
BUSINESS RELIABLE RIDE	TAXI	BUSI ADDF	NESS 451	S. MAIN	157	
MAILING ADDRESS			· bLyt	THE, CA	922	2 <i>5</i>
		BUSII	IESS PHONE NO.			•
KIND OF BUSINESS	Wholesale	Financial Inst.	Other	HOME OCCUP	ATION	TOTAL NUMBER
Retail Services	Manufacturing	Real Estate	Soliciting	Yes	(No)	OF EMPLOYEES
DESCRIPTION OF BUSINESS (give details): TAXI SERVICE						
PLEASE INDICATE OWNERSHIP STATUS:	INDIVIDUAL	PARTNE	RSHIP	CORPORATION		NON-PROFIT
List owners, partners or officers	Title :	Residence Address	Ci	ity	Zip	Residence Phone
ANGELICA M. CORDOVA	OWNER	1309 W. BA	WARD L	SLYTHE	922	25 760
Temporary License for: day(s) from Thru	Yes	ment Device on Premise	State Contracto	r Lic No.	St. Sales 7	Federal I.D. No.
Do you store FLAMMABLE or HAZARDO	OUS materials?	The state of the s	In case of emerge		.,	Phone
If yes, type and quantity:			PALPH C	0200 UA		
•			BRAN D	N CORDOYT	4 0	760) (2000 200
IMPORTANT	- READ AND SIGN BELO	W - RETURN WITH FEE;	ALIDATED LICEN	SE WILL BE MAILE	D TO YOU	
FEES				FEES	3 DUE	
				NEW		
DELINQUENT FEE	RUARY 2ND		:	RENEWAL PENALTY PAST DUE		
10% PENALTY PER N	NONTH ADDED		FIRE INS	PECTION FEE		
ON THE 1ST OF E				TOTAL DUE		Ž.
ON THE ISTOR D			I CE	MAKE CORRE	INFÓRMA CHONS A	TION IS CORRECT S NEEDED.)
			SIGNED BY:		- 10	
			LICATION DATE:		- L X	O_{γ}
ALL BUSINESS SI NOTE: A	GNS WITHIN THE CIT dditional City Permits r	Y LIMITS MUST BE A may be necessary befo	PPROVED BY T re the owner can	HE PLANNING D commence busir	EPARTIV ness.	IENT.
ţ		FOR OFFICE USE C	NLY	10 PH		
-m	Constitution of the Consti	,				
tlanning Dayway		4. Fire	9,0	and)	<i>'</i> .
uilding Wywmm	/	5. Polic				
MOUNT PAID DATE ISSUED	BY	SIC# R	ECEIPT NUMBER	DATE BUSINESS		LICENSE NUMBER



CITY COUNCIL AGENDA STAFF REPORT JUNE 26, 2007

TITLE:

Levy & Collection of Assessments for Property Weed & Building Abatement

SOURCE:

Development Services Department, Code Enforcement Division

BACKGROUND: Pursuant to Blythe Municipal Code Section 8.28.080 the Code Enforcement Officer notified certain property owners of hazardous conditions on their properties due to a lack of maintenance and/or substandard structure(s).

All notices issued clearly stated that if the property owner failed to comply by abating the identified hazards, the City of Blythe would contract to have the work performed and charge back the cost of abatement with administrative and filing fees to the property owner/property.

Subsequent to proper notification, the Development Services Department prepared and distributed a request for proposals for the clean-up(s) and/or building abatement(s) of the nuisance properties. After the contract was awarded and the clean-up/abatement complete, the Development Services Department invoiced each property owner by certified mail on two separate occasions.

On the occasion of an emergency situation, where the property was unsecured and deemed unsafe, a contractor was contacted to immediately secure the structure and the property owner was notified and invoiced by certified mail on two separate occasions.

SPECIFIC REQUEST: Because no response/payment was received, the Development Services Department is requesting that the City Council authorize the levy and collection of the assessments on the properties listed below. The fees shown below include the actual cost of abatement, an 18% administrative fee and Riverside County Tax Assessor filing fees as shown in Exhibit C.

WEED ABATEMENT: Property Owner: R A Roberts Development; General Property Location: Palo Verde Oasis Retention Basin; Assessor's Parcel Number: 824-222-044-8 (\$3,304.36). The charges are for weed abatement.

BUILDING ABATEMENT: Property Owner: Joy Way Capital Trust; General Property Location: 1147 West Hobson Way; Assessor's Parcel Number: 836-080-052-4 (\$65,478.56). The charges are for building abatement and demolition.

Property Owner: Brawley Ice Company; General Property Location: 181 North Main Street; Assessor's Parcel Number: 845-131-016-5 (\$200.96). The charges are for board up and securing of the structure.

RECOMMENDATION: It is recommended that the City Council:

- 1. Adopt Resolution No. 07-719 authorizing the levy and collection of assessments for building abatement on properties identified in Exhibit A in the amounts listed; and,
- 2. Adopt Resolution No. 07-720 authorizing the levy and collection of assessments for weed abatement on properties identified in Exhibit A in the amounts listed.

ATTACHMENTS:

- 1. Resolution No. 07-719 with Exhibit A.
- 2. Resolution No. 07-720 with Exhibit A.
- 3. Breakdown of Property Assessment Charges

Respectfully Submitted:

Jennifer Wellman, AICP

Planning Director

Concurrence

Les Nelson City Manager

RESOLUTION NO. 07-719

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR PROPERTY BUILDING ABATEMENT PURSUANT TO THE PROVISIONS OF THE BLYTHE MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF BLYTHE HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

- Section 1. Pursuant to the City of Blythe Municipal Code Section 8.28.080, the City of Blythe Development Services Department, Code Enforcement Division (hereinafter referred to as "Development Services"), notified certain property owners of hazardous conditions on their properties due to the existence of a substandard structure(s). Such conditions constitute a "Public Nuisance".
- Section 2. All Notices of Public Nuisance issued clearly state that property owners failing to comply by abating the hazards identified on their properties would be cause for the City of Blythe to have the work performed and all costs, in addition to administrative and filing fees, assessed to the property taxes.
- Section 3. No action taken by the property owners to abate the properties in violation, the conditions on the properties constituting a Public Nuisance, have caused Development Services to request bids from abatement contractors.
- Section 4. All bids for abatement services were received in sealed envelopes and were opened together on the date and at the time noted in the request for bid proposal.
- Section 5. The lowest bidder (hereinafter referred to as the "Individual"), was awarded the job. The Individual had a set time period in which the lot clean-up was to be completed. Subsequently, the Individual submitted an invoice and payment was processed.
- Section 6. Following clearing of the violation lots, Development Services mailed the property owners billing notices. Billing notices were sent more than once; and all were sent certified, return receipt.
- Section 7. All billing notices clearly stated that unless remitted by the property owner, all costs, in addition to administrative and filing fees, would be assessed to their property taxes.
 - **Section 8.** The assessments are levied without regard to the property valuation.
- Section 9. The assessments are levied for the purpose of paying the costs and expenses of the abatement described in Sections 3 & 5 above for the fiscal year commencing July 1, 2006 and ending June 30, 2007.
- Section 10. The adoption of this Resolution constitutes the levy of an assessment for the fiscal year commencing July 1, 2007 and ending June 30, 2008.

Section 11. The County Auditor of Riverside County shall enter on the County Assessment Roll opposite each lot or parcel of land the amount of the assessment and such assessments shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the assessments shall be paid to the City Treasurer.

Section 12. The City Treasurer shall deposit all money representing assessments collected by the County to the general fund.

Section 13. The City Clerk is hereby authorized and directed to file Exhibit "A", or a certified copy of Exhibit "A", with the County Auditor, together with a certified copy of this Resolution upon its adoption.

Section 14. A certified copy of the Resolution and Exhibit "A" shall be filed in the office of the Director of Development Services, with a duplicate copy on file in the office of the City Clerk.

PASSED, APPROVED, and ADOPTED this 26th day of June 2007, by the following vote, to wit:

AYES:
NOES:
ABSENT:

Robert A. Crain, Mayor

ATTEST:

(SEAL)

Virginia Rivera, City Clerk

EXHIBIT "A"

Following is a list of the properties and the costs associated with their abatement.

Fund Number	Assessors Parcel Number	Amount
68-2154	836080052-4	\$ 65,478.56
68-2154	845131016-5	\$ 200.96

RESOLUTION NO. 07-720

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR PROPERTY WEED ABATEMENT PURSUANT TO THE PROVISIONS OF THE BLYTHE MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF BLYTHE HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

- Section 1. Pursuant to the City of Blythe Municipal Code Section 8.28.080, the City of Blythe Development Services Department, Code Enforcement Division (hereinafter referred to as "Development Services"), notified certain property owners of hazardous conditions on their properties due to the lack of property maintenance which was allowing the overgrowth of grasses, weeds and other fire hazard materials and/or the accumulation of trash. Such conditions constitute a "Public Nuisance".
- Section 2. All Notices of Public Nuisance issued clearly state that property owners failing to comply by abating the hazards identified on their properties would be cause for the City of Blythe to have the work performed and all costs, in addition to administrative and filing fees, assessed to the property taxes.
- Section 3. No action taken by the property owners to abate the properties in violation, the conditions on the properties constituting a Public Nuisance, have caused Development Services to request bids from local persons who perform lot clean-up.
- Section 4. All bids for abatement services were received in sealed envelopes and were opened together on the date and at the time noted in the request for bid proposal.
- Section 5. The lowest bidder (hereinafter referred to as the "Individual"), was awarded the job. The Individual had a set time period in which the lot clean-up was to be completed. Subsequently, the Individual submitted an invoice and payment was processed.
- Section 6. Following clearing of the violation lots, Development Services mailed the property owners billing notices. Billing notices were sent more than once; and all were sent certified, return receipt.
- Section 7. All billing notices clearly stated that unless remitted by the property owner, all costs, in addition to administrative and filing fees, would be assessed to their property taxes.
 - <u>Section 8</u>. The assessments are levied without regard to the property valuation.
- Section 9. The assessments are levied for the purpose of paying the costs and expenses of the abatement described in Sections 3 & 5 above for the fiscal year commencing July 1, 2006 and ending June 30, 2007.
- Section 10. The adoption of this Resolution constitutes the levy of an assessment for the fiscal year commencing July 1, 2006 and ending June 30, 2007.

Section 11. The County Auditor of Riverside County shall enter on the County Assessment Roll opposite each lot or parcel of land the amount of the assessment and such assessments shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the assessments shall be paid to the City Treasurer.

Section 12. The City Treasurer shall deposit all money representing assessments collected by the County to the general fund.

Section 13. The City Clerk is hereby authorized and directed to file Exhibit "B". or a certified copy of Exhibit "B", with the County Auditor, together with a certified copy of this Resolution upon its adoption.

Section 14. A certified copy of the Resolution and Exhibit "A" shall be filed in the office of the Director of Development Services, with a duplicate copy on file in the office of the City Clerk.

PASSED, APPROVED, and ADOPTED this 26th day of June 2007, by the following vote, to wit:

NOES: ABSENT:	
	Robert A. Crain, Mayor
ATTEST:	
Virginia Rivera, City Clerk	

AYES:

(SEAL)

EXHIBIT "A"

Following is a list of the properties and the costs associated with their abatement.

Fund Number	Assessors Parcel Number	Amount
68-2153	824222044-8	\$ 3,304.36

Breakdown of Property Assessment Charges

WEEDS:

Parcel Number 824-222-044	Cost to Abate 2,800.00	Administrative Fees 504.00	Filing Fee .36	
BUILDING:				
Parcel Number 836-080-052 845-131-016	Cost to Abate 55,490.00 170.00	Administrative Fees 9,988.20 30.60	Filing Fees .36 .36	



CITY OF BLYTHE

DEVELOPMENT SERVICES DEPARTMENT

235 North Broadway - Blythe, California 92225

Phone (760) 922-6130 FAX (760) 922-6334

TO:

Robert E. Byrd, CGFM

Riverside County Auditor-Controller

FROM:

Jennifer Wellman, AICP

Planning Director

DATE:

June 26, 2007

SUBJECT:

Compliance with Proposition 218

The City of Blythe represents that the charges associated with property tax fund numbers 68-2153 & 68-2154 are in compliance with the articles of Proposition 218 cited below.

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges or taxes for the City of Blythe upon receipt of such roll on or about August 10, 2007 based upon such certification.

The City of Blythe shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from and liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges or taxes placed on the roll for the City of Blythe by the County.

Article XIII C. Sec. 2 (c) "Any general tax imposed, extended or increased, without voter approval, by an local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b)."

Article XIII D. Sec. 5 ". . . this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new or increased assessments shall comply with this article."

Article XIII C. Sec. 6 (d) "Beginning July 1, 1997, all fees or charges shall comply with this section.

Jennifer Wellman, AICP, Planning Director, City of Blythe

ATTEST:

CITY OF BLYTHE

TO:

Mayor and City Council

FROM:

Helen Colbert, Director of Finance

DATE:

June 26, 2007

SUBJECT:

Resolution No. 07-723 Authorizing the Continuation of

Necessary and Essential Expenditures to July 31, 2007.

BACKGROUND

Government Code allows local governments to operate without an adopted budget for 45 days into the next fiscal year if a "Continuing Resolution" is adopted.

Several factors have contributed to the delay of the 2007/08 budget process, including adequate time needed by Finance staff to complete the preliminary budget.

The preliminary budget will be distributed to Council and staff by July 6th. The budget Study Session is tentatively scheduled for July 12th although that date can be changed if necessary. The Fiscal Year 2007/08 budget should be presented for adoption at a Special Meeting on July 17th.

RECOMMENDATION

It is recommended that Council adopt Resolution No. 07-723 authorizing the continuation of necessary and essential expenditures to July 31, 2007.

Respectfully Submitted,

CONCUR:

Helen Colbert

Director of Finance

Les Nelson, City Manager

RESOLUTION 07-723

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA AUTHORIZING THE CONTINUATION OF NECESSARY AND ESSENTIAL EXPENDITURES TO JULY 31, 2007

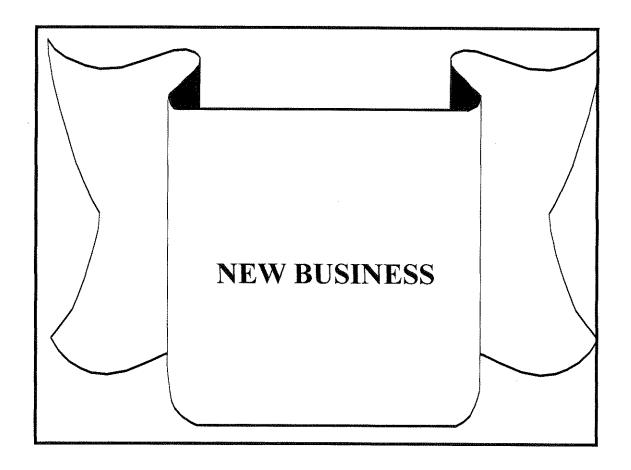
WHEREAS, circumstances have occurred which make it necessary to postpone adoption of the annual budget for Fiscal Year 2007/08 until a Special Meeting on July 31, 2007;

WHEREAS, the members of the Blythe City Council deem it appropriate to continue operation of the City's essential business until such time;

NOW, THEREFORE, BE IT RESOLVED the Members of the City Council of the City of Blythe hereby authorize the continuation of necessary and essential expenditures to operate the City through July 31, 2007, or until the Fiscal Year 2007/08 budget is adopted at a regularly scheduled City Council meeting or at a Special Meeting prior to July 31, 2007.

PASSED, APPROVED and ADOPTED this 26th day of June 2007 by the following roll call vote to wit:

AYES:	
NOES:	
ABSENT:	
•	Robert A. Crain, Mayor
ATTEST:	
Virginia Rivera, City Clerk	
(SEAL)	



TO:

Mayor and City Council

FROM:

City Manager and City Clerk

SUBJECT:

Sale of Fireworks - Outdoor Stands

DATE:

June 26, 2007

BACKGROUND

The City of Blythe has received two (2) applications from First Assembly of God to sell fireworks from outdoor stands. Pursuant to City Ordinance 757-99, the following conditions have been complied with by each applicant:

- 1.) Each application for a license has been made by a fraternal organization (8.38.020).
- 2.) Each application for a license has been filed in a timely manner with the applicable information (8.38.030).
- 3.) Each application has agreed to the utilization of profits to benefit youth groups (8.38.040).
- 4.) Each application was accompanied by the filing fee of \$10 (8.38.050).
- 5.) Each location has been inspected and approved by the City's Fire Chief or his authorized representative (8.38.060).

RECOMMENDATION

It is recommended the City Council approve the attached two (2) applications and authorize the issuance of permits to sell fireworks, said approval predicated on each applicant obtaining a temporary use permit from the City of Blythe Building Department.

Respectfully submitted,

Virgi**n**ia Rivera

City Clerk

Les Nelson

City Manager

Attachments

CITY OF BLYTHE APPLICATION FOR FIREWORKS SALE AND DISPLAY

Name of Applicant FICST ASSEMBLY OF GOD 140 South Willow Street
Address P.O. Box 47), Blythe, California 92236
· · · · · · · · · · · · · · · · · · ·
Phone and Fax Numbers (760) 922-2301 / FAX (760) 922-9092
Name of Fraternal Organization First Assembly of God
8.38.030 Licenses for sale of Safe and Sane fireworks. Licenses for the sale of safe and sane fireworks shall be issued only to fraternal organizations, and such fireworks shall be sold only at outdoor sales stands, as more specifically set forth hereinafter. Not more than four such licenses shall be issued and outstanding at any time. All applications for such licenses shall be filed with the City Clerk on or before the the fifteen day of June, containing a detailed statement of each and every kind of fireworks proposed to be sold under the license, the location of the proposed outdoor sales stand, the type of construction of the stand, the dates and hours that the applicant proposes the stand be open, the plans for staffing the stand during those days and hours, and such other information as the City Manager shall reasonably require in order to assist the City Council in evaluating the application. Location of Proposed Sales and or Display Located West of Holiday Inn Mode Domlon Street, Blythe, Cauterna 12225
Utilization of Profits: List those organizations and or groups that you will be assisting with the profits from your project:
Organization: First Assembly of God - Blythe : Youth & Children's
Organization: First Assembly of God - Blythe: Youth & Children's Munistry Department Program(s): Purchase / Awards : Cerriculum, Music (CD's), Sound Systems
equipment, Wall visuals, games and prizes, Bibles, etc.
Where do the beneficiaries reside: Lity of Blythe CA
Organization:
Program(s):
Where do the beneficiaries reside:
Organization:
Program(s):
Where do the beneficiaries reside:

8.38.040 Utilization of profits. Sales permits shall be granted only to fraternal organizations which agree that the net profit from the sales shall be utilized only for youth activities in accordance with provisions of this chapter. The following specific provisions and requirements shall apply:

- Youth or adults participating in and benefitting from such activities shall be residents of the City of (a) Blythe.
- Each permit application shall contain a detailed statement of the youth activities for which the (b) applicant proposes to use such net profits and the manner of such use.
- No part of the net profits shall be disbursed to government entities other than Palo Verde Unified (c) School District or the City of Blythe. Such disbursements shall be designated for specific programs.

8.38.050 Application, Each permit application shall be accompanied by an application fee of ten dollars, which shall not be refundable. The application shall contain, in addition to all other information required by this chapter, the following information:

Timp to ti	rononing information.		
(a) (b) (c)	statement shall be certified as to accurace A statement of the number of youth to b	ncy of the members of the applicant organization, where by by an officer of the applicant organization; see served by the applicant and the residency of such you organization agrees to all terms and conditions of the lice	rh.
I the applic	cant hereby certify that the information	n given above is true and correct.	
So certified	d this 3/ Day of May	<u>,</u> 20 <u>07.</u>	
	Signature Signature		
	**************	**************	**
DATE APP	PROVED:	DATE DENIED:	
- RECEIPT 1	NO. <u>52345</u>	AMOUNT: 40.00	

ACORD,

CERTIFICATE OF INSURANCE

ISSUE DATE

03/23/2007

P	20	וומ	\sim	EP

MCGRIFF, SEIBELS & WILLIAMS, INC. P.O. Box 10265 Birmingham, AL 35202 205-252-9871 This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This Certificate does not amend, extend or alter the coverage afforded by the policies below.

COMPANIES AFFORDING COVERAGE

Company A

Crum & Forster insurance Company

INSURED

American Promotional Events, Inc. dba TNT Fireworks 555 North Gilbert Avenue Fullerton, CA 92833 Company B

Company C

Company D

Company E

This is to certify that the policies of insurance described herein have been issued to the Insured named herein for the policy period indicated. Notwithstanding any requirement, term or condition of contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, conditions and exclusions of such policies. Limits shown may have been reduced by paid claims.

CO	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE EXPIRATION	LIMITS OF LIABI	LITY	
Α	GENERAL LIABILITY	GLO100992	11/01/2006	EACH OCCURRENCE	\$	1,000,000
	Commercial General Liability	•	11/01/2007	FIRE DAMAGE	\$	100,000
	Claims Made			MEDICAL EXPENSE	\$	EXCLUDED
	☐ SIR: \$50,000			PERS. AND ADVERTISING INJURY	\$	1,000,000
				GENERAL AGGREGATE	\$	2,000,000
	General Aggregate Limit applies per: X Policy Project Location			PRODUCTS AND COMP. OPER. AGG.	\$	2,000,000
	AUTOMOBILE LIABILITY			COMBINED SINGLE LIMIT	\$	····
	Any Automobile All Owned Automobiles			BODILY INJURY (Per person)	\$	
	Scheduled Automobiles			BODILY INJURY (Per accident)	\$	
	Hired Automobiles			PROPERTY DAMAGE (Per accident)	S	
	Non-owned Automobiles			COMPREHENSIVE		
	<u>U</u>			COLLISION		-
	WORKERS' COMPENSATION			WC Statutory Limit Other		
	AND EMPLOYERS' LIABILITY			EL EACH ACCIDENT	\$	
			A Commission of the Commission	EL DISEASE (Each employee)	\$	
		-		EL DISEASE (Policy Limit)	\$	
-	EXCESS LIABILITY			EACH OCCURRENCE	\$	······································
	Occurrence Claims Made			AGGREGATE	\$	***************************************
-		<u> </u>			1\$	
					\$	
					\$	
ĺ					\$	***************************************
					s	

This certificate only applies to Location at: 600 West Donion Street, Blythe, CA 92225.

The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER

usa

Tony Ojeda #2 and the City of Blythe, Coutny of Riverside...their officers, agents and employees when acting in their official capacities as such.
600 West Donlon Street
Blythe, CA 92225

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

Authorized Representative

Fral Barilosil

Page 1 of 1

Certificate ID #

BTTMWUK



OFFICE OF THE STATE FIRE MARSHAL RETAIL FIREWORKS APPLICATION

Index 5942 PCA 59420 Src Code 125700-06

(Print or Type Only)

Complete and return all copies to office nearest stand location with the required fee of \$50.00.

APPLICATIONS MUST BE RECEIVED PRIOR TO JUNE 15 OF THE CURRENT YEAR.

RETAIL FIREWORKS LICENSE

1131 S. Street Sacramento, CA 94814 (916) 445-8373

Licensee

City, State & Zip

Stand Location 602 E. Huntington Drive, Suite A Monrovia, CA 91016 (626) 305-1908

	Phone (760) 455-2301 (760) 727-4991
	(100) 201. (2.1)
	— NOTICE — COPY OF THIS NOTICE MUST BE POSTED AT STAND WITH A COPY OF THE LOCAL PERMIT
	A validated license has been issued to the organization shown above for the sale of Safe and Sane fireworks at the location indicated. After a permit has been issued by the authority having jurisdiction this license allows the sale of only classified "Safe and Sane" fireworks at the approved location from NOON, JUNE 28, to NOON, JULY 6, of the year indicated. NOTE: Retail licensees are required to be at least 21 year of age, employees of fireworks stands must be at least 18 and fireworks may not be sold to anyone under the age of 16.
	MAILING ADDRESS OF LICENSEE
Name	Tony Ojeda JUNE 28 JUNE 28 JUNE 28
Address	580 Sunflower Way 2007 2007
City, State & Zip	Blythe, CA
	FIRE AUTHORITY HAVING JURISDICATION
Fire Dept.	Blythe fire Dept Signature of Applicant
Address	201 N Commercial St Abit all Stelle
City, State & Zip	Blythe, CA 92225 Date: March 8 2007 53
	White Licenses a Velley Fire Authority By: Office
	· · · · · · · · · · · · · · · · · · ·

CALIFORNIA STATE BOARD OF EQUALIZATION

TEMPORARY SELLER'S PERMIT

Valid 6/28/2007

through 7/4/2007

ACCOUNT NUMBER

SR X EHC 100-930339

TONY M.OJEDA. ET AL 600 W DONLON ST / SEC Hobson Way BLYTHE, CA 92225-2706

NOTICE TO PERMITTEE: You are required to obey all Federal and State laws that requiete or control vour business. This permit does not allow you to do otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID FOR THE PERIODS SHOWN AND IS NOT TRANSFERABLE.

For general tax questions, please call our information Center at 800-400-7115. For Information on your rights, contact the Taxpayers' Rights Advocate Office at 888-324-2798 or 916-324-2798,

BOE-442-ST REV. 4 (2-06)

A MESSAGE TO OUR NEW PERMIT HOLDER

ights and responsibilities under the Sales and Use Tax Law, in order inderstand the law, we offer the following sources of help:

bsite at www.boe.ca.gov

at office

sic Sales and Use Tax Law class offered at one of our district offices

- Sending your questions in writing to any one of our offices
- Calling our toll-free information Center at 800-400-7115

As a seller, you have the right to issue resele certificates for merchandise that you intend to resell. Conversely, you have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the Board
- You are responsible for following the regulations set forth by the Board

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a Board representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business. adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a Board office, or giving it to a Board representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the Board, please contact the Texpayers' Rights Advocate Office for help by calling toll-free, 888-324-2798 or 916-324-2798. Their fax number is 916-323-3319.

Please post this permit at the address for which it was issued and at a location visible to your customers.

STATE BOARD OF EQUALIZATION Sales and Use Tax Department



CITY OF BLYTHE
235 N. BROADWAY BLYTHE, CA 92225
(760) 922-6161
BUSINESS LICENSE

600 DOMMON ST. BLYTHE, CA 92225

-LOCATION OF BUSINESS

This license is to be displayed conspicuously at the location of business, and is not transferable or assignable.

THIS CERTIFIES that the business or individual listed below is hereby licensed to do business within the CITY OF BLYTHE

TONY M. & PATRICIA A. OJEDA 580 SUNFLOWER WAY IMPERIAL, CA 92251

EXPIRATION DATE 7/5/07				
0.000.000	DATE ISSUED	LICENSE NUMBER		
289758113	6/28/07	5050		
*****		Andrew Colonia		
	SIC NUMBER 5999	SALES TAX CODE		

FINANCE DIRECTOR

CITY OF BLYTHE Development Services 235 North Broadway Blythe CA 92225 (760) 922-6130



Jennifer Wellman Planning Director

Temporary Use Permit

PERMIT NU	MBER:2007-10
DATE ISSUE	ED: June 28, 2007
EXPIRATIO	N DATE: July 5, 2007
ISSUED TO:	Tony & Patricia Ojeda
	OCATION: West of 600 Donlon St.
	Blythe, CA
PURPOSE: _	Sale of Fireworks
SPECIAL RE	QUIREMENTS:

An inspection by the City of Blythe Fire Department must be completed prior to opening for business. Please call 760-702-6105 to schedule the inspection. Fireworks may be sold from noon on June 28th through noon on July 5th. Any shade structures/covers must be temporary.

PLANNING DIRECTOR:



JULY 2004 FIREWORK SEASON

Vacation Bible School Curriculum Prizes Arts/Crafts Materials Sound System Youth Department Material, misc.	\$250 \$100 \$175 \$600 \$375
Women's Ministry Department	\$500
4th of July Fireworks (product) donated	\$150

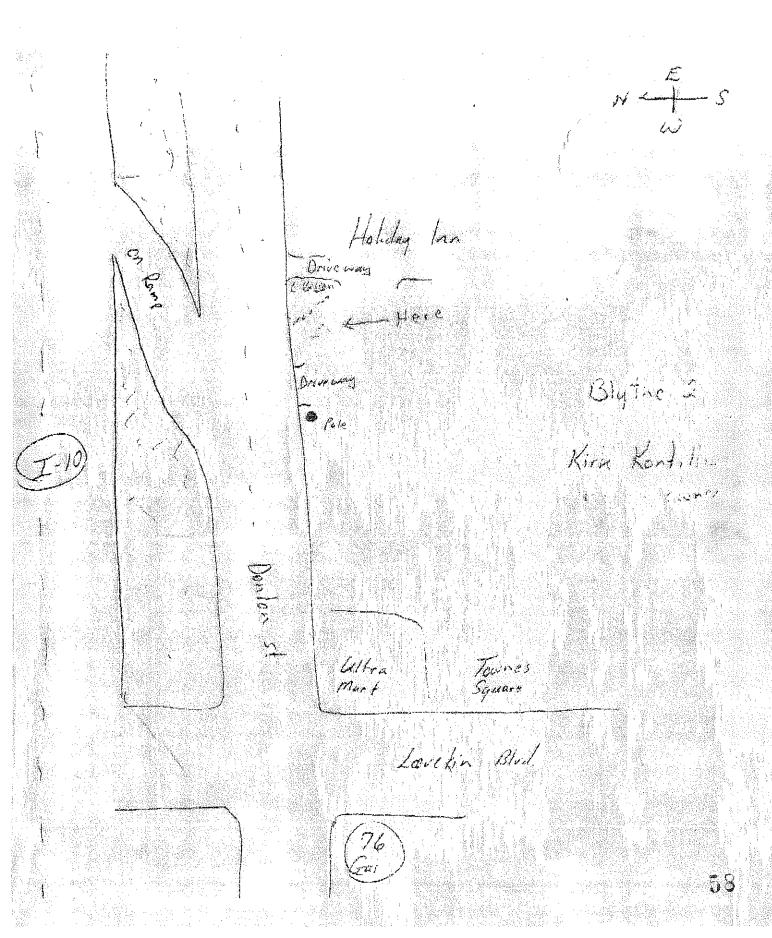
JULY 2005 FIREWORK SEASON

Vacation Bible School Curriculum	\$250
Prizes/Giveaways	
Arts/Crafts/Projects	\$150
N Isroialis/Projects	\$250
Replace/Broken Sound Equipment	\$200
Children's Ministry Fund	\$100
Youth Ministry Fund	\$150
Misc. Chilren's/Youth Expenditures	\$400

JULY 2006 FIREWORK SEASON

Vacation Bible School Curriculum Prizes/Giveaways Arts/Crafts/Projects Children's/Youth Camp Registrations Misc. Children's/Youth Expenditures Music Expense	\$250 \$150 \$250 \$300 \$200 \$100
Music Expense Youth Department misc. Children's Fund	\$100 \$150 \$100

Donation of Fireworks 4th of July Celebration \$150



CITY OF BLYTHE APPLICATION FOR FIREWORKS SALF AND DISPLAY

Name of Applicant First Assembly of God
Address P. O. Bux 471, Blythe, California 92226
Phone and Fax Numbers (760) 922-2301 /FAX (760) 922-9092
Name of Fraternal Organization First Assembly of God
8.38.030 Licenses for sale of Safe and Sane fireworks. Licenses for the sale of safe and sane fireworks shall be issued only to fraternal organizations, and such fireworks shall be issued and outstanding at any time. All applications for such licenses shall be filed with the City Clerk on or before the the fifteen day of June, containing a detailed statement of each and every kind of fireworks proposed to be sold under the license, the location of the proposed outdoor sales stand, the type of construction of the stand, the dates and hours that the applicant proposes the stand be open, the plans for staffing the stand during those days and hours, and such other information as the City Manager shall reasonably require in order to assist the City Council in evaluating the application.
Location of Proposed Sales and or Display Located Southeast Corner
(SEC) Hobsonway and Willow Street, Blythe, CA
Utilization of Profits: List those organizations and or groups that you will be assisting with the profits from your project:
Organization: First Assembly of God-Blythe: Youth & Children's Program(s): Purchase Awards: Curriculum, Music (cost Sortm Systems-Cquipment, Wall Visuals, games and prizes, Bibles, etc. Where do the beneficiaries reside: (ify of Blythe, CA
Organization:
Program(s):
Where do the beneficiaries reside:
Organization:
Program(s):
Whene do the baneficiaries reside:

8.38.040 Utilization of profits. Sales permits shall be granted only to fraternal organizations which agree that the net profit from the sales shall be utilized only for youth activities in accordance with provisions of this chapter. The following specific provisions and requirements shall apply:

- Youth or adults participating in and benefitting from such activities shall be residents of the City of Blythe.
- Each permit application shall contain a detailed statement of the youth activities for which the (b) applicant proposes to use such net profits and the manner of such use.
- No part of the net profits shall be disbursed to government entities other than Palo Verde Unified (c) School District or the City of Blythe. Such disbursements shall be designated for specific programs.

8 38 050 Application Fach permit application shall be

which shall not be refundable. The application shall contain, in	accompanied by an application fee of ten dollars, addition to all other information required by this				
chapter, the following information:					
statement shall be certified as to accuracy by an	ne members of the applicant organization, which officer of the applicant organization,				
(b) A statement of the number of youth to be served	by the applicant and the residency of such youth; tion agrees to all terms and conditions of the license				
I the applicant hereby certify that the information given					
So certified this	20 <u>07.</u>				
- 3 Bpt					
Signature					
***************	*********				

	DATE DENIED:				
RECEIPT NO. 52345	AMOUNT: 10.00				

-						
ACORD, CERTIF		CEPTIEI	ATE OF	INSURANCE	IS	SUE DATE
	ACOND,	CLIVIII N	JAIL OF	MOURANCE	0:	3/23/2007
PRODUCER MCGRIFF, SEIBELS & WILLIAMS, INC. P.O. Box 10265			upon the Certificate	sued as a matter of information only and a Holder. This Certificate does not amend by the policies below.	confers no , extend or	rights alter the
	Birmingham, AL 35202 205-252-9871			COMPANIES AFFORDING COVER	AGE	
			Company C	rum & Forster Insurance Company		
INSURED American Promotional Events, Inc. dba TNT Fireworks 555 North Gilbert Avenue Fullerton, CA 92833			Company B			
			Company C			
			Company D			A
			Company E			
the	policies described herein is subject to	ract or other document with re all the terms, conditions and	espect to which this :	ured named herein for the policy period in certificate may be issued or may pertain, to licies. Limits shown may have been redu	tha incurar	aco afforded by
CO	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE EXPIRATION	LIMITS OF LIAB	ILITY	***************************************
Α	GENERAL LIABILITY	GLO100992	11/01/2006	EACH OCCURRENCE	\$	1,000,000
	Commercial General Liability Claims Made X Occurrence		11/01/2007	FIRE DAMAGE	\$	100,000
	Owners' and Contractors' Protection			MEDICAL EXPENSE	\$	EXCLUDED
	X SIR: \$50,000			PERS. AND ADVERTISING INJURY	\$	1,000,000

GENERAL AGGREGATE 2,000,000 General Aggregate Limit applies per:

Description Project Location PRODUCTS AND COMP. OPER. AGG. 2,000,000 AUTOMOBILE LIABILITY COMBINED SINGLE LIMIT \$ Any Automobile
All Owned Automobiles BODILY INJURY (Per person) \$ \$ Scheduled Automobiles BODILY INJURY (Per accident) Hired Automobiles \$ PROPERTY DAMAGE (Per accident) Non-owned Automobiles COMPREHENSIVE COLLISION WORKERS' COMPENSATION WC Statutory Limit Other AND EMPLOYERS' LIABILITY EL EACH ACCIDENT \$ \$ EL DISEASE (Each employee) EL DISEASE (Policy Limit) \$ **EXCESS LIABILITY** EACH OCCURRENCE \$ Occurrence Claims Made AGGREGATE \$ \$ \$ \$ \$

This certificate only applies to Location: SE Corner of Hobson Way & Willow Street.

The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER

Tony Ojeda #3 and the City of Blythe, County of Riverside...their officers, agents and employees when acting in ther official capacitites as such.

SE Corner Hobson Way & Willow Street Blythe, CA 92225 USA SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

Authorized Representative

Rus Bhilosil

61

Page 1 of 1

Certificate IO #

J986P49J



OFFICE OF THE STATE FIRE MARSHAL RETAIL FIREWORKS APPLICATION

Index 5942 PCA 59420 Src Code 125700-06

(Print or Type Only)

Complete and return all copies to office nearest stand location with the required fee of \$50.00. APPLICATIONS MUST BE RECEIVED PRIOR TO JUNE 15 OF THE CURRENT YEAR.

RETAIL FIREWORKS LICENSE

1131 S. Street Sacramento, CA 94814 (916) 445-8373

Licensee

City, State & Zip

Stand Location

Name

602 E. Huntington Drive, Suite A Monrovia, CA 91016 (626) 305-1908

	Phone (760) 455-230/ / (760) 427-499/
	— NOTICE — COPY OF THIS NOTICE MUST BE POSTED AT STAND WITH A COPY OF THE LOCAL PERMIT
	A validated license has been issued to the organization shown above for the sale of Safe and Sane fireworks at the location indicated. After a permit has been issued by the authority having jurisdiction this license allows the sale of only classified "Safe and Sane" fireworks at the approved location from NOON, JUNE 28, to NOON, JULY 6, of the year indicated. NOTE: Retail licensees are required to be at least 21 year of age, employees of fireworks stands must be at least 18 and fireworks may not be sold to anyone under the age of 16.
Name Address City, State & Zip	MAILING ADDRESS OF LICENSEE Tony Ojeda 580 Sunflower Way Blythe CA
Fire Dept. Address City, State & Zip	FIRE AUTHORITY HAVING JURISDICATION Blythe fire Dept 201 N. Commercial St. Blythe, CA 92225 Date: March 8, 2007
	White Licenses - Velleur Eire Authority - Diely CEM Elle

CALIFORNIA STATE BOARD OF EQUALIZATION

TEMPORARY SELLER'S PERMIT

Valid 6/28/2007

through 7/4/2007

ACCOUNTNUMBER

SR X EHC 100-930339

TONY M.OJEDA, ET AL 600 W DONLON ST / SEC Hobson Way BLYTHE, CA 92225-2706

& will on Street

NOTICE TO PERMITTEE: You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE AROVE LOCATION.
THIS PERMIT IS VALID FOR THE PERIODS SHOWN AND IS NOT TRANSFERABLE.

For general tax questions, please call our information Center at 800-400-7115.
For information on your rights, contact the Taxpayers' Rights Advocate Office at 888-324-2798 or 916-324-2798.

BOE-442-ST REV. 4 (2-06)

To: Parlsara

A MESSAGE TO OUR NEW PERMIT HOLDER

ights and responsibilities under the Sales and Use Tax Law. In order inderstand the law, we offer the following sources of help:

bsite at www.boe.ca.gov

at office

sic Sales and Use Tax Law class offered at one of our district offices

- Sending your questions in writing to any one of our offices
- Calling our toll-free Information Center at 800-400-7115

City Clerk

RE: Temp. Sellers k

F Bus hi censes

Cetu of Blesto

06/19/07

As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. Conversely, you have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,

- · You have the right to seek reimbursement of the tax from your customer.
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the Board
- You are responsible for following the regulations set forth by the Board

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a Board representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a Board office, or giving it to a Board representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the Board, please contact the Taxpayers' Rights Advocate Office for help by calling toll-free, 888-324-2798 or 916-324-2798. Their fax number is 916-323-3319.

Please post this permit at the address for which it was issued and at a location visible to your customers.

STATE BOARD OF EQUALIZATION
Sales and Use Tax Department



CITY OF BLYTHE
235 N. BROADWAY BLYTHE, CA 92225
(760) 922-6161
BUSINESS LICENSE

HOSSONWAY & WELLOW BLYTHE, CA 92225

LOCATION OF BUSINESS

THIS CERTIFIES that the business or individual listed below is hereby licensed to do business within the CITY OF BLYTHE

> TONY M. & PATRICIA A. OJEDA 580 SUNFLOWER WAY IMPERIAL, CA 92251

### SALES TAX CODE			<u> 18 ang kalimpang kanang at mengangkan pangganggan pangganggan pangganggan pangganggan pangganggan pangganggan</u>
DATE ISSUED LICENSE NUMBER 6/28/07 5050 SIC NUMBER SALES TAX CODE			
SIC NUMBER SALES TAX CODE			The second secon
		6/28/07	5050
	-	SIC NUMBER	SALES TAX CODE

CITY OF BLYTHE Development Services 235 North Broadway Blythe CA 92225 (760) 922-6130



Jennifer Wellman Planning Director

Temporary Use Permit

PERMIT NUMBER: _	2007-11
DATE ISSUED:	June 28, 2007
EXPIRATION DATE:	July 5, 2007
ISSUED TO:Tony &	Patricia Ojeda
ACTIVITY LOCATIO	N: S/E Corner of Hobsonway
& Willow St	reet, Blythe, CA
PURPOSE: Sale of F	
SPECIAL REQUIREMI	ENTS:

An inspection by the City of Blythe Fire Department must be completed prior to opening for business. Please call 760-702-6105 to schedule the inspection. Fireworks may be sold from noon on June 28th through noon on July 5th. Any shade structures/covers must be temporary.

PLANNING DIRECTOR:



JULY 2004 FIREWORK SEASON

Vacation Bible School Curriculum Prizes Arts/Crafts Materials Sound System Youth Department Material, misc.	\$250 \$100 \$175 \$600 \$375
Women's Ministry Department	\$500
4th of July Fireworks (product) donated	\$150

JULY 2005 FIREWORK SEASON

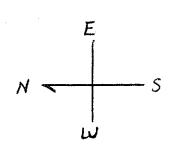
Vacation Bible School Curriculum	\$250
Prizes/Giveaways	\$150
Arts/Crafts/Projects	\$250
Replace/Broken Sound Equipment	\$200
Children's Ministry Fund	\$100
Youth Ministry Fund	\$150
Misc. Chilren's/Youth Expenditures	\$400

JULY 2006 FIREWORK SEASON

Vacation Bible School Curriculum Prizes/Giveaways Arts/Crafts/Projects Children's/Youth Camp Registrations Misc. Children's/Youth Expenditures Music Expense Youth Department misc.	\$250 \$150 \$250 \$300 \$200 \$100
Youth Department misc. Children's Fund	\$100 \$150 \$100

Donation of Fireworks 4th of July Celebration \$150

Hobsanway



Proposed site for fireworks stand 8x 24' with 20x 30 canopy

Willows

Laundry

TO:

Mayor and City Council

FROM:

City Manager

SUBJECT:

Ballot Measure - City's Authorization for Hospital Business

DATE:

June 26, 2007

BACKGROUND

As the City Council is fully aware, cities and counties are governed by the Government Code while hospitals work under the Health and Safety Code. Further, a City (e.g. City of Blythe) does not inherently have the statutory authorization to be in the hospital business. That authorization requires a (simple) majority vote of the local electorate. The differences between the Government Code and the Health and Safety Code were clearly evident back in late 2005 when the City essentially "co-signed" for the Palo Verde Health Care District on their financial obligation to LifePoint. It took 10 weeks. five attorneys and a concentrated intensive effort to get the deal legally structured. The problem, the City does not have legal authority to be involved in the hospital business. City Managers (that stay employed) learn early in their career it's ok to hope for the best, but always plan for the worst, especially in matters of importance. In that philosophical content, the attached draft ballot measure (I believe) puts the City of Blythe in a sound strategical position; if things work out between the District Board/Management/Medical staff the City Council may wish to pursue a Sales Tax Initiative with the voters as part of an overall funding approach to build a replacement hospital; if the hospital situation continues to deteriorate, the authorization will almost certainly be necessary for the City to have any real meaningful influence in the eventual outcome.

Finally, for the November ballot a measure must be submitted to the Registrar of Voters by August 10th. Staff would defer to the City Attorney relative to how much time is necessary to get the ballot language finalized.

RECOMMENDATION

Discuss the ballot measure that would give the City of Blythe authorization to participate in hospital business. If appropriate, direct the City Attorney to finalize the Ballot measure language for submittal to the County Registrar of Voters not later than August 10th, for voter consideration on the November 6, 2007 General Election.

Respectfully submitted.

Les Nelson

City Manager

DRAFT

Measure to be Submitted Directly to the Voters

The City Attorney of the City of Blythe has prepared the following title and summary of the Chief purposes and points of the proposed measure:

A PROPOSAL AUTHORIZING THE CITY OF BLYTHE'S INVOLVEMENT IN THE HOSPITAL BUSINESS

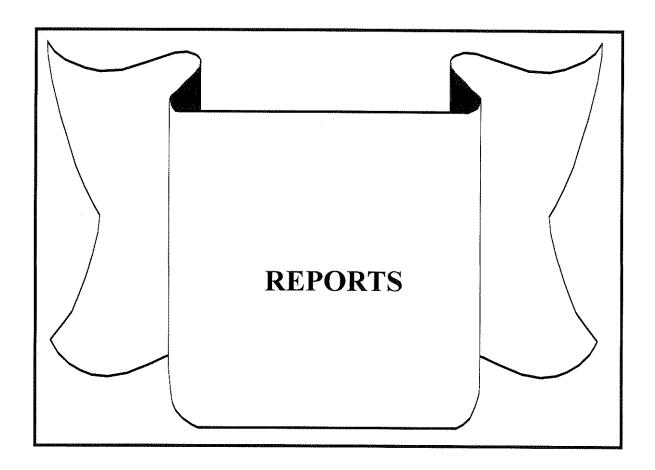
This measure would submit to the voters of the City of Blythe the question of whether the City of Blythe should be involved in the Hospital Business. Under the applicable provisions of the California Government Code, a City may establish a Municipal Hospital or provide Sales Tax Revenue to an existing Community Hospital with the approval of a majority of those voting on the questions. If approved by the voters, the City would be permitted to establish a Municipal Hospital, provide voter approved Sales Tax Revenue to an existing Community Hospital, build a new Hospital, or provide for the operation of a Hospital under contract. The City Council would be empowered to prescribe rules for the administration of a Municipal Hospital, or participate in the management oversight of existing Hospital.

City Attorney

The full text of the measure to be voted on is as follows:

Shall a municipal hospital be established in the City of Blythe, pursuant to the the authority of Article 8 of Title 4, Division 3, of the California Government Code?





CITY COUNCIL MEETING JUNE 26, 2007 CITY MANAGER'S REPORT

1. Elsewhere in tonight's Agenda the City Council has been asked to adopt a Continuation Resolution for the City's FY07-08 Budget. The Budget Ad Hoc Committee has been working on the plan and it's now appropriate to think about scheduling the full Council and Management staff to review the document. Assuming Council did in fact approve the Continuation Resolution, we have until July 31st to adopt the Budget, most likely at a Special meeting on July 17th or July 31st. Council will not have a meeting on July 24th. Staff suggests we work around the following budget schedule:

June 22nd - Last review with Budget Ad Hoc Committee.

July 6th - Draft budget distributed to Council and staff.

July 12th - Budget Study Session with Council and staff.

July 17th - Special City Council Meeting

to adopt Budget.

- 2. The Hospital situation continues to defy solution, while at the same time drawing the increased attention of the regulatory agencies that can suspend or revoke the Hospital license (Department of Health Services) or decertify it for payments under the Medicare, Medicaid and Medi-Cal programs (Centers for Medicare & Medicaid Services). From my limited understanding, it appears the basic issue is the absence of emergency general surgery services. The existing surgeon refuses to do surgery, the Medical staff has not credentialed another surgeon(s) to do surgery, and in California the District Board of Directors cannot grant a surgeon hospital privileges in contravention to the Medical staff bylaws. As a General Acute Care Hospital, the license says you must provide emergency general surgery services. Palo Verde Hospital has not been doing that for a prolonged period of time. There may be merit in the Health Care Board of Directors requesting from DHS a reclassification as a Rural General Acute Care Hospital. It might buy the Hospital some time on the surgery issue while taking the license and certifications out of jeopardy.
- 3. City Manager has been asked to serve on the Board of Directors for the Health Assessment Resource Center (HARC) serving Eastern Riverside County. The Board meets quarterly, and my first meeting will be on Friday, June 29th. If I do not participate, the next Board nominee is from Cabazon, and the Palo Verde Valley will have no representative.

4.	Miscellaneous summer swim program is up and operational at the High
	School pool DACE residential units on Rice Street are under construction
	City Hall will be closed Wednesday, July 4 th .

Respectfully submitted,

Les Nelson City Manager

